



**Minutes**  
**Town of Lake Park, Florida**  
**Regular Commission Meeting**  
**Wednesday, November 19, 2014, 6:30 PM**  
**Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, November 19, 2014 at 6:30 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Erin Flaherty, Michael O'Rourke and Kathleen Rapoza, Town Manager Dale S. Sugerman, Attorney Thomas Baird, and Town Clerk Vivian Mendez.

Town Clerk Mendez performed the roll call and Mayor DuBois led the pledge of allegiance.

**SPECIAL PRESENTATIONS/REPORTS**

None

**PUBLIC COMMENT:**

Paolo Dellaquila – 748 W. Jasmine Drive – introduced himself and expressed an interest in opening a not-for-profit organization called “Prime Time Yes Center” at the Publix plaza on Northlake Blvd and US 1. He asked the Town for support. Town Manager Sugerman explained that he spoke with Mr. Dellaquila several months ago and had explained the process involved to opening a business in Town. Commissioner O'Rourke asked if the Business Development Board would be a good resource. Town Manager Sugerman stated that depending on the amount of jobs this organization would create would determine if the Business Development Board would be able to assist. Mr. Dellaquila stated that the organization would create approximately 50 jobs. Town Manager Sugerman stated that there might be opportunities through the Business Development Board for this program. He asked Mr. Dellaquila to make an appointment with his office, so that he could direct him. Mayor DuBois suggested communicating with Club 100 Charities since they have a similar youth program. Vice-Mayor Glas-Castro expressed concern with this entity taking up a large portion of taxable property from the Town. Town Manager Sugerman explained that the organization was not a school or a church and therefore they would not be exempt from paying property taxes.

**CONSENT AGENDA:**

- 1. Regular Commission Meeting Minutes of November 5, 2014**
- 2. Legislative Priorities Workshop Minutes of November 5, 2014**

**Motion: Commissioner O'Rourke moved to approve the Consent Agenda; Vice-Mayor Glas-Castro seconded the motion.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		

Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

**PUBLIC HEARING(S) – QUASI-JUDICIAL:**

**3. Resolution No. 33-10-14 An Application by Aldi Florida LLC, for Special Exception Use and Site Plan Approval for a 17,107 Square Foot Grocery Store**

The members of the Commission made the following ex-parte communication disclosures:

Commissioner O'Rourke had no ex-parte communications to disclose.

Vice-Mayor Glas-Castro disclosed that she met with the applicant.

Commissioner Rapoza had no ex-parte communications to disclose.

Commissioner Flaherty had no ex-parte communications to disclose.

Mayor DuBois disclosed that he met with the applicant.

Town Attorney Baird swore in all of the witnesses.

Town Planner, Debbie Abraham presented the item (see Exhibit "A").

Mr. Brandon Ulmer, Project Manager gave a brief presentation. (see Exhibit "A"). Mr. Jeff Williams, Real Estate Broker recapped the changes made to the site plan since the October 1, 2014 Commission meeting.

**Public Comment Open:**

None

**Public Comment Closed:**

**Motion: Commissioner O'Rourke moved to approve Resolution 33-10-14 as amended; Commissioner Rapoza seconded the motion.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

**PUBLIC HEARINGS - ORDINANCES ON FIRST READING:**

**4. Ordinance No. 15-2014 Amending the Town's Library Board Meeting Schedule**

**Public Comment Open:**

1) Robert Shelton, *501 Lake Shore Drive*, mentioned that due to personal schedules, it was often difficult for members of the Library Board to make regularly scheduled meeting and he suggested that the Library Board meet twice a year instead of the proposed once a year.

2) Diane Bernhard, *301 Lake Shore Drive*, suggested that the Library Board meet twice a year instead of the proposed once a year and have an option to meet on an as-needed basis.

**Public Comment Closed:**

The Commission thanked the Library Board members for volunteering their time.

Library Director Karen Mahnk explained the item (see attached Exhibit "B"). Commissioner O'Rourke asked if there is a public notice requirement to assure that the public was notified of the meeting. Town Clerk Mendez explained that at least 72-hour notice is required. The notices are placed on the Library website, Town website, the marquee in front of Town Hall, and on the bulletin board in Town Hall. Commissioner O'Rourke expressed concern with the notice requirement. Library Director Mahnk explained that the Sunshine Law governs notice. Library Director Mahnk explained that agendas are typically created a month in advance. She explained that she expects the Board to meet more than twice a year, but having the flexibility to meet as-needed would benefit the Board more than being mandated by the Code to meet once a month.

**Motion: Commissioner O'Rourke moved to approve Ordinance 15-2014 as amended on first reading; Vice-Mayor Glas-Castro seconded the motion.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Baird read the Ordinance into the record by title only.

**PUBLIC HEARINGS - ORDINANCE ON SECOND READING:**

**5. Ordinance No. 14-2014 Updating the Comprehensive Plan and Capital Improvement Schedule**

Town Planner, Debbie Abraham explained the item (see attached Exhibit "C").

Mayor DuBois asked that the following be considered for inclusion in the Comprehensive Plan and Capital Improvement Schedule: Palm Tran as part of the coastal link Tri-rail improvements; and crosswalk improvements to Park Avenue and US1. Town Manager Sugerman suggested that this item be separated from the proposed improvements from 7<sup>th</sup> Street to 10<sup>th</sup> Street. Mayor DuBois asked if the Florida Department of Transportation (FDOT) has funds available for improvement to pedestrian crosswalks for Park Avenue and US1. Town Manager Sugerman explained that US1 is a federal road, which has been turned over to FDOT's District 4. He stated that District 4 does not have funding for these types of improvements, however if a municipality wants to fund improvements to a major road like US1 they can do so at their own expense. He suggested that the project be placed on the 2015-2016 schedule allocating \$100,000. Mayor DuBois asked that the words Palm Tran and FEC would be included. Vice-Mayor Glas-Castro stated that there might be funds available through the Metropolitan Planning Organization (MPO).

**Public Comment:**

None

**Public Comment Closed:**

**Motion: Commissioner Flaherty moved to approve Ordinance 14-2014 as amended on second reading; Commissioner O'Rourke seconded the motion.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Baird read the Ordinance into the record by title only.

**NEW BUSINESS:**

**6. Resolution No. 42-11-14 Fiscal Year 2013/2014 Pre-Audit Budget Adjustments.**

Finance Director Blake Rane explained the item (see attached Exhibit "D"). Commissioner Flaherty asked if there were any excess funds left at the end of the budget year or if this was just an effort at showing that all funds were being balanced, rather than making specific changes to the budget. Finance Director Rane explained that the balance brought forward that was budgeted at the beginning of the budget year was not needed at the end of the budget year and therefore the budget was being reduced by \$82,000. Commissioner O'Rourke asked about the reduction of the Recreation Tennis Program budget. Finance Director Rane explained that the Tennis program brought in less revenue than budgeted during that fiscal year and that this adjustment was a lowering of the budgeted revenue amount; not a lowering of the tennis program expenditure amount. Town Manager Sugerman explained that the Tennis professional was changed as of May



1, 2014 and in the interim, there was less tennis play during that time. He stated that the Tennis courts were resurfaced in phases, so it did not interrupt their availability.

**Motion: Commissioner O'Rourke moved to approve Resolution 42-11-14; Commissioner Rapoza seconded the motion.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty	X		
Commissioner O'Rourke	X		
Commissioner Rapoza	X		
Vice-Mayor Glas-Castro	X		
Mayor DuBois	X		

Motion passed 5-0.

**7. Authorizing the Town Manager to Issue a Purchase Order for Paul Fleming to Serve as Interim Marina Director during the Months of December 2014 and January 2015.**

**Public Comment Opened:**

Diane Bernhard, 301 Lake Shore Drive, asked if Paul Fleming was filling in as Interim Marina Director in the same manner as Jamie Titcomb had filled in as Interim Town Manager. Mayor DuBois stated "yes".

**Public Comment Closed:**

Town Manager Sugerman explained the item (see attached Exhibit "E"). Vice-Mayor Glas-Castro asked why the hiring of the Interim Marina Director was done by purchase order and not through the personnel process and what is the Interim Marina Director's background. Town Manager Sugerman explained that the Interim Marina Director is an independent contractor, not an employee of the Town. He explained that his background is over 30 years of municipal construction management, and that they had worked together for 7 years in the City of Boynton Beach, that he is a boater, but has no specific Marina Director experience. Vice-Mayor Glas-Castro asked if the Interim Marina Director was chosen because of the construction that is taking place currently at the Marina. Town Manager Sugerman explained that he was chosen for several reasons: he was available on two weeks' notice; they had 7 years of working experience together, the major construction project currently at the Marina; and he has incredible leadership skills. Vice-Mayor Glas-Castro asked why an Interim Marina Director is necessary. Town Manager Sugerman stated that there is no staff available to provide leadership at the Marina. Commissioner Rapoza asked if we are currently in the process of hiring a Marina Director. Town Manager Sugerman explained that the process has begun and interviews will be conducted on December 3 and 4<sup>th</sup>. Commissioner O'Rourke asked if there was public notice for this position. Town Manager Sugerman stated that the position has been noticed in many publications. Commissioner O'Rourke questioned if the Interim Marina Director has hiring and firing authority. Town Manager Sugerman stated that the Interim

Marina Director does not have hiring and firing authority. He clarified that the Town Manager is the only one with the hiring and firing authority.

**Motion: Commissioner O'Rourke moved not to approve the purchase order with Paul Fleming. Mayor DuBois advised the Commissioner that motions should always be stated in the positive, and that if a Commissioner were opposed to the motion, then that Commissioner should vote "no".**

**Motion: Vice-Mayor Glas-Castro moved to approve; Commissioner O'Rourke seconded the motion.**

Commissioner Flaherty stated that he would be voting against this item because an employee at the Marina was fired. Commissioner O'Rourke respectfully asked Commissioner Flaherty to refrain from continuing his comments. He stated that the hiring of this Interim Marina Director was mishandled. Vice-Mayor Glas-Castro expressed concern with hiring someone through a purchase order process. Mayor DuBois stated that the same process was used when hiring the Interim Town Manager Jamie Titcomb. He stated that the Commission does not have the authority to be involved with the hiring and firing of employees except for the Town Manager and Town Attorney.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Flaherty		X	
Commissioner O'Rourke		X	
Commissioner Rapoza		X	
Vice-Mayor Glas-Castro		X	
Mayor DuBois	X		

Motion failed 1-4.

**8. Commission Discussion on the Subject of Endorsing a Resolution of Support for the Palm Beach County League of Cities' Desire to Have Palm Beach County Remain in the Treasure Coast Regional Planning Commission.**

Town Manager Sugerman explained the item (see attached Exhibit "F"). Vice-Mayor Glas-Castro supports the action of the Palm Beach County League of Cities to remain in the Treasure Coast Regional Planning Commission. Mayor DuBois explained that the Palm Beach County Board of County Commissioners directed their staff to explore joining the South Regional Planning Commission versus remaining with the Treasure Coast Regional Planning Commission. The town Commission gave consensus to have a Resolution of support placed on the December 3, 2014 Commission meeting agenda.

**TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:**

**Town Attorney Baird** had no comments.

**Town Manager Sugerman** stated that Beth Keigel, President and CEO of the Northern Palm Beach County Chamber of Commerce would like the Town's support of the North

County Branding Initiative with the entry level of “Builder” donation of \$500. The Commission gave consensus to donate \$500.

**Commissioner Rapoza** had no comments.

**Commissioner Flaherty** stated that his only comment he had was a follow up to an email sent by the Town Manager over the weekend regarding the SRX liquor license loan where the Town Manager refers to offering his resignation at tonight’s Commission meeting. He stated that this is not the first time the Town Manager refers to resigning after being asked questions. Town Manager Sugerman stated that he was available to discuss anything the Commission would like. Mayor DuBois provided some background on the SRX liquor license, which was put up as collateral by the Grumpy Grouper to consider the loan. He explained that the SRX liquor license has no value to the Town. He stated that the current business owner is now utilizing the improvements to the property. Commissioner O’Rourke stated that the discussion has deviated from where it started, which was about the Town Manager’s email. He stated that he was surprised that the Town Manager was ready to “fall on his sword” for something that took place before he began his employment with the Town. He stated that he does not understand why the Town Manager would be scarifying his personal gains or putting the Town in a position where we would need to search for another Town Manager, and does not feel that this is the appropriate time. Mayor DuBois agreed that the Grumpy Grouper situation did not take place during the Town Manager’s watch, although he seems to feel responsible. Commissioner Rapoza stated that it is a lesson well learned, we should move on, and be mindful when making future decisions. She stated that she felt that everyone works very well together. Commissioner O’Rourke stated that he feels that this is a good learning process because in the future the Commission would like to see a nice restaurant in the Downtown Park Avenue area. Mayor DuBois stated that the Town has to be willing to take chances with new businesses that come into the Town. He stated that the CRA Board took the risk and that it was not the Town Manager’s fault that this happened. Commissioner Rapoza stated that she was taken aback by the Town Manager’s email. Commissioner Flaherty had no further comments.

**Commissioner O’Rourke** announced the Seafood and Music Fest on Saturday, November 22 and Sunday, November 23 at Lake Shore Park.

**Vice-Mayor Glas-Castro** stated that the Palm Beach County League of Cities general meeting would take place on Wednesday, November 26 and that All Aboard Florida would be the topic of discussion. She stated that she visited the Marina on Sunday, November 16, 2014 and noticed that construction was moving along. She asked if the sidewalk would be stamped concrete. Town Manager Sugerman stated that the sidewalk would be stamped concrete. He explained that the contractor was about two weeks behind schedule because of different issues. Vice-Mayor Glas-Castro asked for a status on the Mixed Use Federal Highway Corridor project. Town Manager Sugerman stated that we have fallen behind on that project because the Community Development Department has seen a tremendous increase in building applications. In order to roll out the Mixed Use Corridor project properly it would take a considerable amount of time, which has been difficult. He explained that he met with the Community Development Director and she has asked for additional time on the project. He stated that he has some ideas that may

help with moving the project along. He stated that he might need an additional staff person in the department in the form of a Zoning Administrator to assist with the workload. Vice-Mayor Glas-Castro stated that in August 2013, the Commission had a workshop relating to the western area of Town and the direction from the Commission was for the Planning and Zoning Board to do additional visioning and have them work on details of that area. She stated that she had even offered to volunteer her services. Town Manager Sugerman stated that she was correct; the Board has not taken on that agenda item. Vice-Mayor Glas-Castro referred to an article sent to the Commission by the Town Manager regarding visioning. She asked if that topic would be on an upcoming agenda. Town Manager Sugerman stated that it would be up to the Commission to decide. The Commission expressed consensus to have quarterly visioning workshops. Town Manager Sugerman agreed. Vice-Mayor Glas-Castro stated that she has no confidence that any of the projects would be done. She stated that things are only scheduled if and when the Manager feels like doing them. She expressed concern about not being made aware that the COP program had been modified. She stated that Attorney Glen Torcivia had sent out an email requesting a letter or Resolution supporting the building of a stadium in John Prince Park. She asked the Commission to support the concept. The Commission came to consensus to support the concept with a Resolution on the December 3, 2014 Commission agenda. Mayor DuBois stated that he has concern with the amount of funds that are being allocated for the stadium project and would not support it. Vice-Mayor Glas-Castro announced the Seafood Music Festival this weekend. She stated that this week was very frustrating with, receiving the news about the Grumpy Grouper, COP, visioning not happening, and things are not moving forward, policies of the Commission are not being followed and felt that she was ready to make a motion as follows:

**Motion: Vice-Mayor Glas-Castro moved to accept the Town Manager's resignation. The motion did not receive a seconded.**

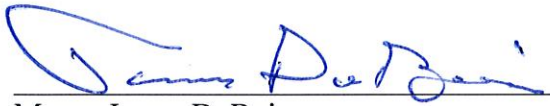
Vice-Mayor Glas-Castro stated that she heard Commissioner O'Rourke and the Mayor say that the Town Manager is doing a good job. Commissioner O'Rourke clarified that what he said was that he felt that this was not the appropriate time to ask the Town Manager to resign. He stated that there are some bumps going on and they need to be figured out. Mayor DuBois stated that the Commission could improve their communication as to what their desires are with the Town Manager. Commissioner O'Rourke stated that he was confused with the email that was sent this weekend by the Town Manager. He would like to move forward from this topic. Town Manager Sugerman asked for clarification regarding what the Commission would like regarding Attorney Torcivia's email request. The Commission requested that the Resolution be brought forward for consideration. Commissioner Rapoza congratulated Vice-Mayor Glas-Castro on winning the Chili Cook-off.

**Mayor DuBois** congratulated the Vice-Mayor on her Chili Cook-off victory. Mr. Robert Trepp offered a 6-foot Christmas tree to be raffled during the Light up the Holidays celebration scheduled for Friday, December 5, 2014. He stated that he has been lack in perusing the topics that the Vice-Mayor mentioned earlier because things have been peaceful among the Commission and the Town Manager and he has been complacent. He stated that after the last visioning session the Commission knew that there were no funds to move forward with some of the visioning ideas discussed. He stated that he researched

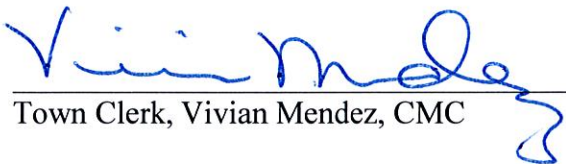
mobility planning and mobility fees to prepare for a future rail station. He appreciated Captain Jerry Rapoza's efforts as a COP member. He stated that since the COP's redistricting he has noticed a higher presence of the COP car in the Town. He stated that at the last Sister Cities meeting the Treasure Coast Planning Commission was discussed. He stated that the next Sister Cities meeting would be held in Riviera Beach. Staff will provide the next date and time of the Sister Cities meeting.

### ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Rapoza and seconded by Commissioner Flaherty, and by unanimous vote, the meeting adjourned at 8:44 p.m.



Mayor James DuBois



Town Clerk, Vivian Mendez, CMC



FLORIDA  
Approved on this 3 of December, 2014





## Town of Lake Park Town Commission

### Agenda Request Form

*Exhibit "A"*

Meeting Date: November 19, 2014

Agenda Item No. 3

**Agenda Title: AN APPLICATION BY ALDI FLORIDA LLC, FOR SPECIAL EXCEPTION USE AND SITE PLAN APPROVAL FOR A 17,098 SQUARE FOOT GENERAL GROCERY STORE (Continued from October 1, 2014).**

- ☐ SPECIAL PRESENTATION/REPORTS ☐ CONSENT AGENDA  
☐ BOARD APPOINTMENT ☐ OLD BUSINESS  
☐ PUBLIC HEARING ORDINANCE ON \_\_\_ READING  
☒ **RESOLUTION – PUBLIC HEARING/QUASI-JUDICIAL**  
☐ OTHER

Approved by Town Manager

*[Signature]*

Date:

11/7/14

**Nadia Di Tommaso / Community Development Director**

Name/Title

*ND*

<b>Originating Department:</b>  Community Development	Costs: \$ <b>Required advertisement and certified mail</b>  Funding Source: <b>Applicant ("Aldi LLC")</b>  Acct. # <b>4770</b>  <input type="checkbox"/> Finance _____	<b>Attachments:</b>  → Original Staff Report → Resolution 33-10-14 → Copy of Applications → Copy of Legal Ad and Certified Letter → Site Plan Package (with updated plans) – <i>available in the drop box and in paper format in the Community Development Department.</i>
<b>Advertised:</b> Date: <b>08-29-2014</b> Paper: <b>Palm Beach Post</b> <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone <u>ND</u> – see <i>notation in costs field</i> or Not applicable in this case _____ <b>Please initial one.</b>

### Summary Explanation/Background:

The Owner of the subject property, Congress Avenue Properties LLC, is currently under a purchase contract with ALDI Florida LLC (the Applicant). Aldi LLC submitted a Site Plan and Special Exception Use application to develop a 17,098 square foot "General Grocery Store" on Parcel A of the Congress Business Park Planned Unit Development (PUD). The subject site has a "Commercial/Light Industrial" land use designation and is within the previously approved Congress Business Park Planned Unit Development (PUD) zoning district with an underlying Commercial-2 Business District (C-2) zoning district designation.

**Section 78-77(1)(g)(3)** of town code states that the uses which are permitted within a PUD include those which are listed in the underlying zoning district. A general grocery store measuring over 10,000 square is not listed as a permitted use in the C-2 zoning district. A PUD also provides for *additional uses that may be permitted by the Town Commission following review and approval of a Special Exception Application*.

Staff has determined that because the C-2 zoning district allows smaller specialty grocery stores, ALDI's proposed 17,098 square foot "general grocery store" may be permissible if approved as an "additional" special exception use. Staff's interpretation of the code is based upon the opinion that a general grocery store is compatible with the uses and general intent of the C-2 zoning district which permits a wide variety of commercial uses.

Both applications, the special exception use and the site plan, were reviewed pursuant to the town code criterion for special exception uses and requirements for site plan review and have met the town code criterion and requirements. The enclosed staff report includes a detailed description of the criterion and requirements.

The Planning & Zoning Board reviewed the applications at its September 8, 2014 meeting and provided a unanimous recommendation of approval on both the special exception use of a 17,098 square foot general grocery store and on the site plan application with all the conditions of approval proposed by staff along with additional conditions #18, #19, and #20.

**The Town Commission reviewed the applications at the October 1st Town Commission meeting. At this meeting, the Town Commission expressed concerns with the applicant's architectural elevations; truck access; cross access to the vacant property to the north; and lack of detail to the responses to the questions on the actual special exception application form.**

**The applicant resubmitted modified plans and a modified application form which incorporates the following:**

- (1) Architectural elevations with an alternative coral reef stone; real horizontal windows; additional banding and roofline projections;**
- (2) Extended foundational planting beds (along with a slight reduction to the building area by 9 square feet) and 20 foot high royal palms adorning the entrance on each side; and additional landscaping along the north property line.**
- (3) An increased truck drive aisle width of 27.4 feet to allow for better maneuvering in the rear entrance/exit area to the truck well.**
- (4) A modified special exception application form with more detailed responses.**
- (5) A cross access driveway access point to the vacant property to the north, along with the reconfiguration of the parking spaces while still retaining the required 85 parking spaces.**

**Recommended Motion:** I MOVE TO APPROVE RESOLUTION 33-10-14 WITH THE CONDITIONS OF APPROVAL PROPOSED BY STAFF.





**TOWN LAKE OF PARK  
TOWN COMMISSION**

**ORIGINAL MEETING DATE: October 1, 2014**  
**ITEM CONTINUED TO NOVEMBER 19, 2014**

**APPLICATION:** SITE PLAN AND SPECIAL EXCEPTION USE FOR A 17,098  
SQUARE FOOT ALDI GROCERY STORE WITHIN THE  
CONGRESS BUSINESS PARK PLANNED UNIT  
DEVELOPMENT

**SUMMARY OF APPLICANT'S REQUEST:** The Owner of the property, which is the subject of the two Applications, is Congress Avenue Properties, LLC (Owner). ALDI Florida, LLC ("Applicant") has a contract to purchase the property referenced in the submitted Applications for a Site Plan and the Special Exception Use of "Grocery Store". The Applicant proposes to develop a 17,098 square foot "ALDI" grocery store on Parcel A of the Congress Business Park Planned Unit Development ("the Site"). The Site has a "Commercial/Light Industrial" land use designation and is within the previously approved Congress Business Park Planned Unit Development (PUD) Zoning District with an underlying Commercial-2 Business District (C-2) zoning designation.

**Section 78-77(1)(g)(3)** of Town Code states that the uses which are permitted within a PUD includes those which are listed in the underlying zoning district. However, within a PUD, *additional uses may be permitted by the Town Commission following review and approval of a Special Exception Application.*

The C-2 Zoning District only allows specialty grocery stores as a use by right with a maximum building size of 10,000 square feet. Staff has determined that ALDI's proposed grocery store is not a "specialty grocery store." Consequently, Staff has interpreted the Applicant's proposed 17,098 square foot *general* grocery store as being an "additional use" which would be permitted within the PUD provided it meets the criteria established by the Code for a Special Exception Use. Staff's interpretation of the Code is based upon the opinion that a general grocery store is compatible with the uses and general intent of the C-2 Zoning District which permits a wide variety of commercial uses.

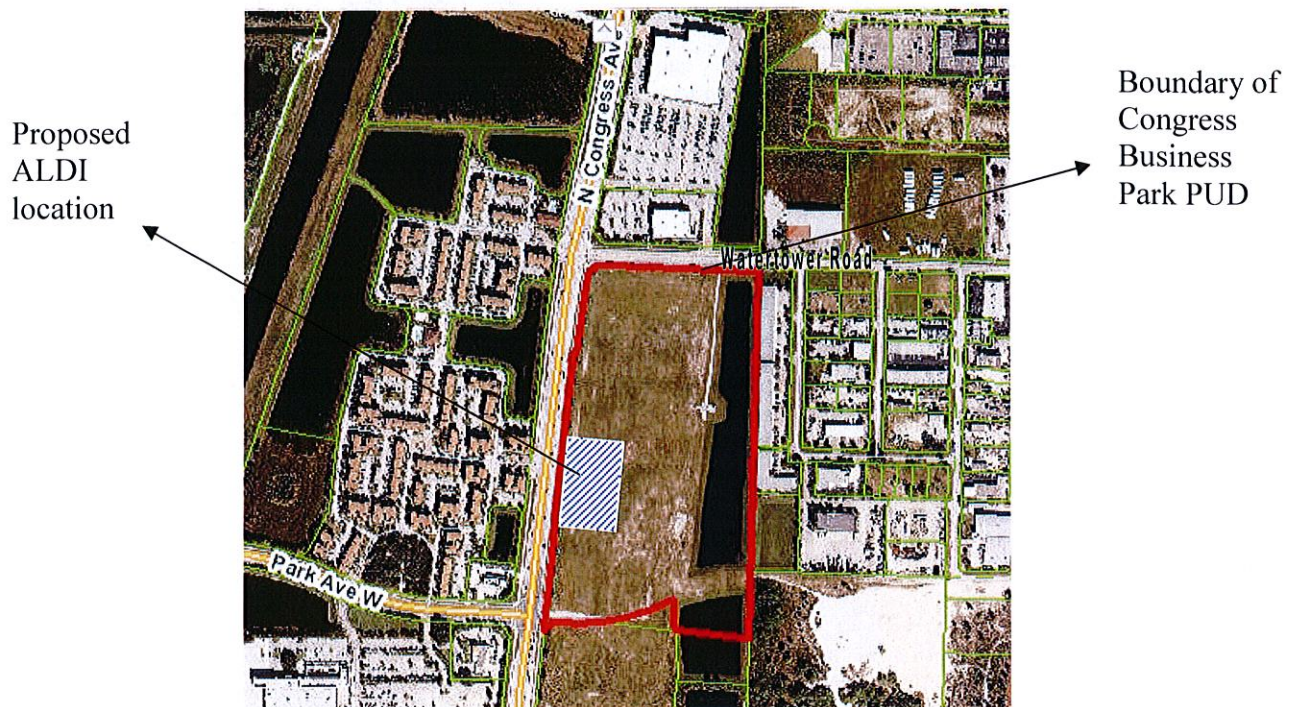
**PLANNING & ZONING BOARD** (Recommended Approval 5-0: 09/08/2014): **A recommendation of approval was motioned, seconded, and approved 5-0 for both the special exception use and the site plan with additional conditions #18, #19, and #20.**



**BACKGROUND:**

Applicant(s): Jeffery Williams/ALDI Florida, LLC  
Owner(s): Congress Avenue Properties, LLC  
Address/Location: North Congress Avenue  
Net Acreage: 2.38 acres  
Legal Description: 19-42-43, PT OF SE 1/4 LYG BET WATER TOWER RD R/W & PB21P3 & E OF & ADJ TO CONGRESS AVE R/W (LESS SLY 728.69 FT & PT K/A  
Existing Zoning: Planned Unit Development (PUD)  
Commercial 2 (C-2) Business District  
Future Land Use: Commercial/Light Industrial

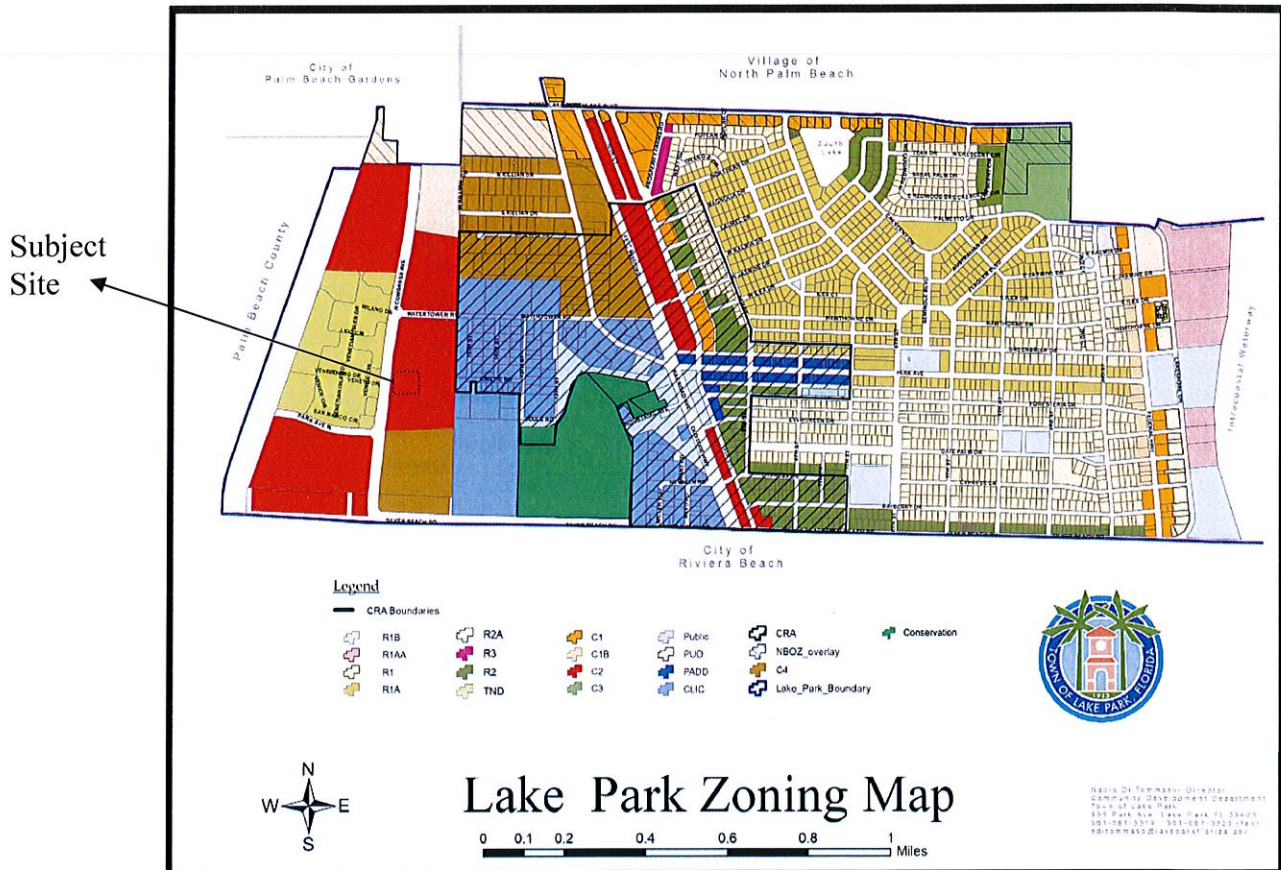
**Figure 1: Aerial View of Site (image not to scale; for visual purposes only)**



### Adjacent Zoning

North: Planned Unit Development (PUD) / Commercial 2 (C-2)  
 South: Planned Unit Development (PUD) / Commercial 2 (C-2)  
 East: Planned Unit Development (PUD) / Commercial 2 (C-2)  
 West: Traditional Neighborhood District (TND)

### LAKE PARK ZONING MAP



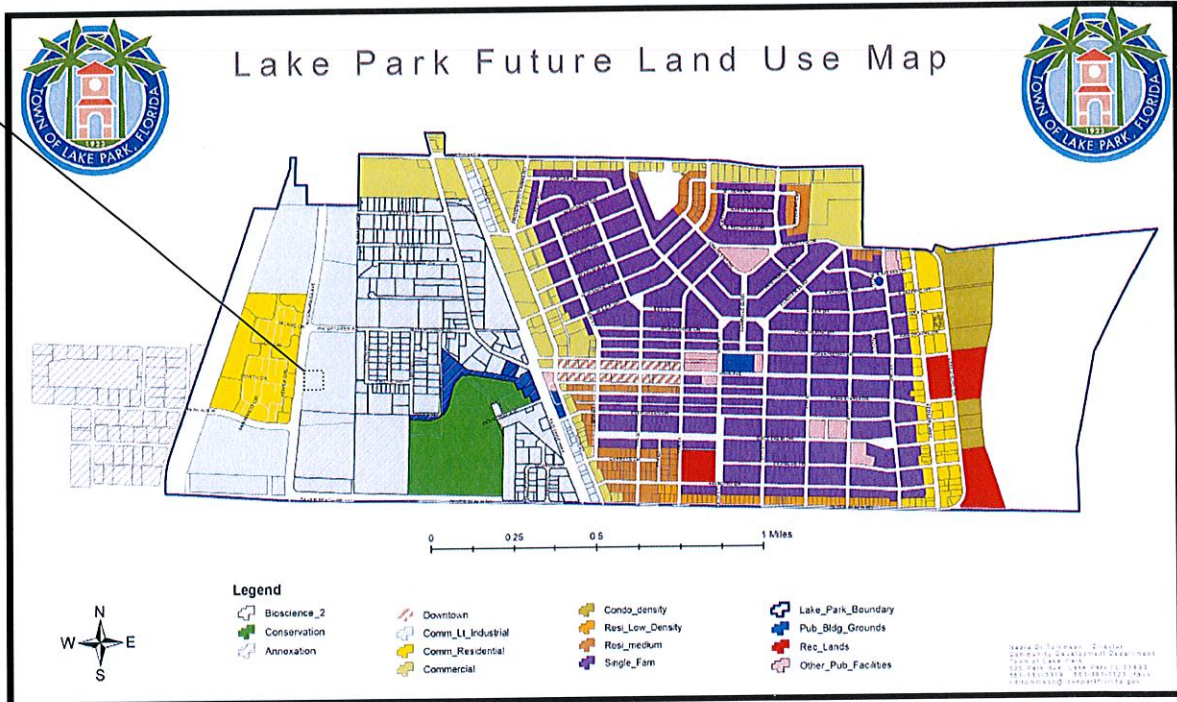


### Adjacent Existing Land Use

North: Commercial Light Industrial  
South: Commercial Light Industrial  
East: Commercial Light Industrial  
West: Commercial/Residential

## LAKE PARK FUTURE LAND USE MAP

Subject  
Site



## PART I: APPLICATION FOR A SPECIAL EXCEPTION USE

### ANALYSIS OF SPECIAL EXCEPTION CRITERIA

Town Code **Section 78-184** sets forth the criteria which must be met to entitle an applicant to a Special Exception use. There are criteria, all of which must be met. **Note: Staff's analysis of the criterion are in bold.**

1. Is the proposed Special Exception Use consistent with the goals, objectives, and policies of the Town's Comprehensive Plan?

Staff has determined that the proposed use would specifically further two Objectives, and one Policy of the Future Land Use Element of the Comprehensive Plan:

*Objective 1, Policy 1.5:*

*The Town shall encourage development and redevelopment activities which will substantially increase the tax base while minimizing negative impacts on natural and historic resources, existing neighborhoods and development, and adopted Levels of Service standards.*

*Objective 5 :*

*As a substantially built-out community in an urbanized area, the Town shall promote redevelopment and infill development in a manner that is considerate to existing neighborhoods and uses, the built and natural environments, and neighboring jurisdictions.*

**The development of a new building on a currently undeveloped parcel will increase the Town's tax base. The Site is not environmentally sensitive or historically significant and therefore the development of the Site would not cause negative impacts to the surrounding area, or existing neighborhoods. The development of a general grocery store across Congress Avenue from a large residential apartment complex furthers the two Objectives and the Policy of the Comprehensive Plan of infill development which is considerate of existing neighborhoods. The Palm Beach County Traffic Division has issued a traffic concurrency letter confirming that the development of ALDI will not exceed the adopted level of service for North Congress Avenue.**

**CRITERIA MET.**

2. Is the proposed Special Exception Use consistent with the Town's land development regulations and all other portions of this Code?

**The Site Plan meets the Land Development Regulations of the Town Code.**

**CRITERIA MET**

3. Is the proposed Special Exception Use compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location, mass, height and setback; and other relevant factors peculiar to the proposed special exception use and the surrounding property?

**A general grocery store is compatible with the character of the surrounding commercial uses. The commercial uses along North Congress Avenue**

includes big box retail businesses such as Kohl's, Walmart, and Target. The Applicant's proposed hours of operation (from 9 am – 8 pm, 7 days a week) are comparable to these businesses and considerate of the surrounding areas, including the residential district directly across the proposed Site on the west side of North Congress Avenue.

**CRITERIA MET**

4. Will the proposed Special Exception Use on the Site create a concentration or proliferation of the same or similar type of use, which may be detrimental to the development or redevelopment of the area?

There are no standalone specialty or general grocery store uses along North Congress Avenue, however, several businesses along the Corridor provide food (grocery) sales as part of their operation. Given the nature of this use being proposed as a standalone grocery store, and the market it will serve, it is highly unlikely that the general grocery store would result in a proliferation of grocery stores in this area of the Town.

**CRITERIA MET**

5. Will the proposed Special Exception Use have a detrimental impact on surrounding properties based on:

- a. The number of persons anticipated to be using, residing, or working on the property as a result of the special exception use;

The proposed use is not expected to have a detrimental impact on the surrounding properties. The Site Plan meets the Code's Land Development Regulations for a general grocery store and provides sufficient parking for customers using it and the employees who will be employed there.

**CRITERIA MET**

- b. The degree of noise, odor, visual, or other potential nuisance factors generated by the special exception use.

The primary operations of the proposed Special Exception Use are entirely indoors, and therefore, should not produce any external visual or odor nuisances. Delivery trucks will bring products to the store on a regular basis. These vehicles may create some noise, odor, or other nuisances, however, this activity will take place on the exterior of the building inside the truck well which is screened from public view. The Applicant is proposing a sloped truck well where delivery trucks can unload produce and goods to be sold within the store. This type of delivery area is similar to other businesses within the corridor. This may mitigate to a small degree the noise or visual nuisances that may occur as a result of the deliveries.

**The dumpsters will be located within the truck well and will be screened from public view as well.**

**CRITERIA MET**

- c. The effect on the amount and flow of traffic within the vicinity of the proposed special exception use.

**As previously stated, Palm Beach County's Traffic Division issued a Traffic Concurrency Letter which verifies that the projected traffic upon the affected roadways meets the County's Traffic Performance Standards based on the proposed use, can be accommodated.**

**CRITERIA MET**

(6) Does the proposed Special Exception Use:

- a. Significantly reduce light and air to adjacent properties?

**The building constructed upon the Site generally meets the setback regulations of the Town Code for a use of this nature. It should also be noted that the Site is within a "master planned" PUD.**

**CRITERIA MET**

- b. Adversely affect property values in adjacent areas.

**The Site's development will not adversely affect the property values of the adjacent uses.**

**CRITERIA MET**

- c. Deter the improvement, development or redevelopment of surrounding properties in accord with existing regulations.

**The proposed Special Exception Use would not be a deterrent to the improvement, development or redevelopment of surrounding properties.**

**CRITERIA MET**

- d. Negatively impact adjacent natural systems or public facilities, including parks and open spaces.

**The proposed Site is not within or in close proximity to any naturally sensitive areas or parks. The south, east, and west sides directly adjacent**

to the Site are undeveloped, therefore, the proposed Special Exception Use will not negatively impact any open space or public facilities.

**CRITERIA MET**

- e. Provide pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

The Site Plan indicates that trash receptacles, benches and bike racks will be located at appropriate locations on the Site. A pedestrian pathway across the Site provides connectivity to and from North Congress Avenue.

**CRITERIA MET**

## **PART II: APPLICATION FOR A SITE PLAN**

The Site Plan has been reviewed by the Town's Engineer, Landscape Architect, and Community Development Department. Based upon this review, the Staff finds that the Site Plan meets the Land Development Regulations of the Town Code, and is consistent with the PUD's established Signage Guidelines, Architectural Guidelines, and Landscaping Plan.

### **SITE PLAN PROJECT DETAILS:**

**Building Site:** The Site is a parcel within a Master Plan associated with a PUD. The PUD's underlying zoning designation is C-2. The Site is to be developed as a general grocery store of 17,098 square feet.

**Site Access:** The Site has two entrances. One entrance is on the west side of the Site and the other is on the south side, both of which are accessible by the PUD's interior roads. The interior roads can be accessed by using the Park Avenue West Extension road which is currently under construction.

**Traffic:** The Applicant has received a Traffic Performance Standard (TPS) concurrency letter from Palm Beach County's Traffic Division which confirms that there is adequate capacity on the roadways which serve the Site.

**Landscaping:** The Site Plan meets the Town's Landscaping Code regulations and is consistent with the Landscaping Master Plan approved pursuant to a previously approved application for a PUD by the owner of the property. The Applicant's Landscaping Plan has been determined to be "satisfactory for Site Plan Approval" by the Town's consulting Landscape Architect.

**Drainage:** The Town's Engineer has reviewed the Applicant's Paving and Drainage Plan and has determined that it meets the engineering requirements for Site Plan review.

**Parking:** The Town's Parking Code requires 5 spaces per 1,000 square feet of gross floor area. Therefore, the proposed building at 17,098 square feet requires 86 parking spaces. The Applicant is proposing 86 parking spaces, which includes 4 required handicap parking spaces.

**Signage:** The Applicant has submitted a proposed Master Signage Plan that is consistent with the Town's Sign Code and the previously approved PUD Master Signage Plan. The Applicant is proposing wall signs above the south and east building entrances, as well as a monument sign classified as a PUD Tenant Sign in the PUD regulations.

**Zoning:** The use of a general grocery store is not a use permitted by right, but rather as an "additional use" by special exception approval. The Applicant has applied for Special Exception Use approval.

**Water/Sewer:** Staff has received confirmation from Seacoast Utilities Authority that the Applicant has reserved water capacity for the Site. Drainage permits are required prior to the issuance of building permits per SUA.

**Design:** The Applicant's proposed Elevations Plan meets the Town's Architectural Guidelines as well as the architectural guidelines established by the previously approved PUD. The Applicant has incorporated design features for the building which are consistent with the intent of the Code and the previously approved PUD.

**Fire:** Palm Beach County Fire completed a preliminary site plan review of the proposed Site Plan and has no comments pertaining to the Site Plan at this time. PBC Fire will be reviewing the plans in greater detail as part of the building permit review process at that time.

**PBSO:** The Crime Prevention Through Environmental Design (CPTED) review was done by the Town Planner who is CPTED Certified rather than the Palm Beach Sheriff's Office (PBSO). The Reviewer recommended the installation of video surveillance, but the Applicant chose to not incorporate the recommendation. The Reviewer did not raise any additional recommendations or concerns.



### **PART III: STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of the Special Exception Use for a 17,098 square foot grocery store in the Congress Business Park PUD. Staff recommends **APPROVAL** of the Site Plan subject to the following conditions:

1. The Applicant shall develop the Site consistent with the following Plans:
  - a. Site Plan, Site Plan Details, and Photometric Plan referenced as Sheets C-3, C-4, and C-11 respectively; signed and sealed on October 14, 2014 and prepared by Thomas Engineering Group; received and dated by the Department of Community Development on October 15, 2014.
  - b. Landscape Plans and Irrigation Plans, referenced as Sheets LP-1, LP-2, LP-3 and LI-1, LI-2, LI-3; signed and sealed on October 14, 2014 and prepared by Thomas Engineering Group; received and dated by the Department of Community Development on October 15, 2014.
  - c. Signage Plan referenced as Sheet MS100, signed and sealed on August 22, 2014 prepared by Cuhaci & Peterson Architects Engineers Planners; received and dated by the Department of Community Development on August 29, 2014.
  - d. Floor Plan and Elevations referenced as Sheets A-131 and A-201, respectively, signed and sealed on October 6, 2014 prepared by Cuhaci & Peterson Architects Engineers Planners; received and dated by the Department of Community Development on October 15, 2014.
  - e. Paving, Grading & Drainage and Water/Sewer Plans referenced as Sheets C-5 through C-11; signed and sealed on October 14, 2014 and prepared by Thomas Engineering Group; received and dated by the Department of Community Development on October 15, 2014.
  - f. Survey dated May 20, 2014 referenced as Drawing D99-240K prepared by Lidberg Land Surveying Inc. signed and sealed on May 20, 2014 and received by the Department of Community Development on September 3, 2014.
2. Construction is permitted only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, except holidays, unless otherwise approved in writing by the Community Development Director.
3. Any proposed disruption to the normal flow of traffic within the rights of way of North Congress Avenue or the Park Avenue West Extension during the construction of the Site, shall be subject to the review and approval of the Community Development Director (the Director).

4. Should any disruption to the normal flow of traffic occur during construction of the Site, the construction shall immediately cease until the Directors of the Town's Public Works Department and Community Development Departments have reviewed the situation and given the Applicant written approval to proceed.
5. Should any disruption to the surrounding entrance/exit streets and parking areas along North Congress Avenue or the Park Avenue West Extension occur such that the daily operation of nearby businesses is adversely impacted, the construction activities shall cease until the Applicant has secured the written approval of the Director.
6. All landscaping shown on the Site Plan and the Landscaping Plan shall be continuously maintained from the date of the issuance of the Certificate of Occupancy by the Town. The Owner/Applicant shall replace any and all dead or dying landscaping materials so as to maintain the quantity and quality of the landscaping shown on the approved Site Plan and Landscaping Plan.
7. The hedge material for the Site shall be maintained at five feet unless otherwise noted on the approved plans for the Site or the PUD.
8. Safe and adequate pedestrian passage shall be maintained along the Site's entrances.
9. The Applicant shall ensure that any and all contractors use commonly accepted practices to reduce airborne dust and particulates during construction of the Site.
10. The dumpster shall be screened as noted on the Site Plan and kept closed at all times. All dumpsters shall be acquired from the approved franchise supplier for the Town.
11. Prior to issuance of the Certificate of Occupancy, the Applicant shall provide certification from the Landscape Architect of record that the plant installations on the Site are in accordance with the approved Site Plan and the Landscaping Plan.
12. The Site shall be subject to the Unity of Control which has been approved for the PUD. No building permit shall be issued until and unless an executed Unity of Control approved by the Town Attorney has been recorded.
13. Prior to the issuance of a building permit, the Applicant shall submit an application for a Plat and receive its approval by the Town.
14. Prior to the issuance of any building permits, the Applicant shall submit copies of any permits required by other agencies, including but not limited to Palm Beach County Health Department, Palm Beach County Land Development Division, South Florida Water Management Division and the State of Florida Department of Environmental Protection.
15. Any revisions to the approved Site Plan, Landscape Plan, architectural elevations, signs, statement of use, photometric plan, or other detail submitted as part of the

Application, including, but not limited to, the location of the proposed improvements or additional, revised, or deleted colors, materials, or structures, shall be submitted to the Department, and shall be subject to its review and approval.

16. Prior to the issuance of a Certificate of Occupancy for the grocery store, the Owner and Applicant shall ensure that all of the Park Avenue Extension, the interior roadways and curb cuts as shown in the approved PUD Master Plan have been constructed and approved by the Town Engineer.
17. Continuous access shall be maintained between all parcels in accordance with the PUD Master Plan and Section 78-144 of the Town Code and cross access agreements may be required as additional properties within the PUD get developed.
18. The Owner or Applicant shall initiate bona fide and continuous development of the Site within 18 months from the effective date of this Development Order. Failure to do so shall render the Development Order void. Once initiated, the development of the Site shall be completed within 18 months.
19. **Cost Recovery.** All fees and costs, including legal fees incurred by the Town in reviewing the Application and billed to the Owner shall be paid to the Town within 10 days of receipt of an invoice from the Town. Failure by an Owner or an Applicant to reimburse the Town within the 10 day time period may result in the suspension of any further review of plans or building activities, and may result in the revocation of the approved Development Order.

**RESOLUTION NO. 33-10-14**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN AND SPECIAL EXCEPTION USE FOR A 17,098 SQUARE FOOT ALDI GROCERY STORE TO BE LOCATED WITHIN THE CONGRESS BUSINESS PARK PLANNED UNIT DEVELOPMENT; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE APPROVAL OF THE SITE PLAN AND USE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, ALDI Florida, LLC, (“Applicant”) is proposing to develop a 17,098 square foot “ALDI” grocery store on Parcel A of the Congress Business Park Planned Unit Development Zoning District (the Site); and

**WHEREAS**, the Site is currently owned by Congress Avenue Properties (“Owner”) and the Applicant has a contract to purchase the proposed Site; and

**WHEREAS**, Applicant has submitted Applications for a Site Plan and Special Exception Use of “Grocery Store” (the Applications); and

**WHEREAS**, the Site has a future land use designation of “Commercial/Light Industrial”; and

**WHEREAS**, the Site is within the previously approved Congress Business Park Planned Unit Development (PUD); and

**WHEREAS**, the zoning of the Site is PUD with its underlying zoning designation being Commercial-2 Business District (C-2);

**WHEREAS**, the uses permitted in the PUD include those uses permitted in the C-2 Zoning District and additional uses by special exception if approved by the Commission; and

**WHEREAS**, the Community Development Department has determined that the use of a “Grocery Store” would be consistent with the uses permitted in the C-2 Zoning District; and

**WHEREAS**, the Town’s Planning and Zoning Board has reviewed the Applications and has recommended to the Town Commission that it approve the Applications with certain conditions; and

**WHEREAS**, the Town Commission has conducted a quasi-judicial hearing to consider the Applications; and

**WHEREAS**, at these hearings, the Town Council considered the evidence presented by the Town Staff, the Applicant, and other interested parties and members of the public, regarding the Applications.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK:**

**Section 1:** The whereas clauses are incorporated herein as the findings of fact and conclusions of law of the Town Commission.

**Section 2.** The Town Commission hereby approves a Site Plan and the special exception use of "Grocery Store" subject to the following conditions:

1. The Applicant shall develop the Site consistent with the following Plans:
  - a. Site Plan, Site Plan Details, and Photometric Plan referenced as Sheets C-3, C-4, and C-11 respectively; signed and sealed on October 14, 2014 and prepared by Thomas Engineering Group; received and dated by the Department of Community Development on October 15, 2014.
  - b. Landscape Plans and Irrigation Plans, referenced as Sheets LP-1, LP-2, LP-3 and LI-1, LI-2, LI-3; signed and sealed on October 14, 2014 and prepared by Thomas Engineering Group; received and dated by the Department of Community Development on October 15, 2014.
  - c. Signage Plan referenced as Sheet MS100, signed and sealed on August 22, 2014 prepared by Cuhaci & Peterson Architects Engineers Planners; received and dated by the Department of Community Development on August 29, 2014.
  - d. Floor Plan and Elevations referenced as Sheets A-131 and A-201, respectively, signed and sealed on October 6, 2014 prepared by Cuhaci & Peterson Architects Engineers Planners; received and dated by the Department of Community Development on October 15, 2014.
  - e. Paving, Grading & Drainage and Water/Sewer Plans referenced as Sheets C-5 through C-11; signed and sealed on October 14, 2014 and prepared by Thomas Engineering Group; received and dated by the Department of Community Development on October 15, 2014.
  - f. Survey dated May 20, 2014 referenced as Drawing D99-240K prepared by Lidberg Land Surveying Inc. signed and sealed on May 20, 2014 and received by the Department of Community Development on September 3, 2014.
2. Construction is permitted only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, except holidays, unless otherwise approved in writing by the Community Development Director.
3. Any proposed disruption to the normal flow of traffic within the rights of way of North Congress Avenue or the Park Avenue West Extension during the construction of the

Site, shall be subject to the review and approval of the Community Development Director (the Director).

4. Should any disruption to the normal flow of traffic occur during construction of the Site, the construction shall immediately cease until the Directors of the Town's Public Works Department and Community Development Departments have reviewed the situation and given the Applicant written approval to proceed.
5. Should any disruption to the surrounding entrance/exit streets and parking areas along North Congress Avenue or the Park Avenue West Extension occur such that the daily operation of nearby businesses is adversely impacted, the construction activities shall cease until the Applicant has secured the written approval of the Director.
6. All landscaping shown on the Site Plan and the Landscaping Plan shall be continuously maintained from the date of the issuance of the Certificate of Occupancy by the Town. The Owner/Applicant shall replace any and all dead or dying landscaping materials so as to maintain the quantity and quality of the landscaping shown on the approved Site Plan and Landscaping Plan.
7. The hedge material for the Site shall be maintained at five feet unless otherwise noted on the approved plans for the Site or the PUD.
8. Safe and adequate pedestrian passage shall be maintained along the Site's entrances.
9. The Applicant shall ensure that any and all contractors use commonly accepted practices to reduce airborne dust and particulates during construction of the Site.
10. The dumpster shall be screened as noted on the Site Plan and kept closed at all times. All dumpsters shall be acquired from the approved franchise supplier for the Town.
11. Prior to issuance of the Certificate of Occupancy, the Applicant shall provide certification from the Landscape Architect of record that the plant installations on the Site are in accordance with the approved Site Plan and the Landscaping Plan.
12. The Site shall be subject to the Unity of Control which has been approved for the PUD. No building permit shall be issued until and unless an executed Unity of Control approved by the Town Attorney has been recorded.
13. Prior to the issuance of a building permit, the Applicant shall submit an application for a Plat and receive its approval by the Town.
14. Prior to the issuance of any building permits, the Applicant shall submit copies of any permits required by other agencies, including but not limited to Palm Beach County Health Department, Palm Beach County Land Development Division, South Florida Water Management Division and the State of Florida Department of Environmental Protection.

15. Any revisions to the approved Site Plan, Landscape Plan, architectural elevations, signs, statement of use, photometric plan, or other detail submitted as part of the Application, including, but not limited to, the location of the proposed improvements or additional, revised, or deleted colors, materials, or structures, shall be submitted to the Department, and shall be subject to its review and approval.
16. Prior to the issuance of a Certificate of Occupancy for the grocery store, the Owner and Applicant shall ensure that all of the Park Avenue Extension, the interior roadways and curb cuts as shown in the approved PUD Master Plan have been constructed and approved by the Town Engineer.
17. Continuous access shall be maintained between all parcels in accordance with the PUD Master Plan and Section 78-144 of the Town Code and cross access agreements may be required as additional properties within the PUD get developed.
18. The Owner or Applicant shall initiate bona fide and continuous development of the Site within 18 months from the effective date of this Development Order. Failure to do so shall render the Development Order void. Once initiated, the development of the Site shall be completed within 18 months.
19. **Cost Recovery.** All fees and costs, including legal fees incurred by the Town in reviewing the Application and billed to the Owner shall be paid to the Town within 10 days of receipt of an invoice from the Town. Failure by an Owner or an Applicant to reimburse the Town within the 10 day time period may result in the suspension of any further review of plans or building activities, and may result in the revocation of the approved Development Order.

**Section 3:** The Owner, Applicant and their successors and assigns shall be subject to the conditions of approval.

**Section 4.** This Resolution shall become effective upon adoption.



Community

OCT 13 2014

Development

THE TOWN OF LAKE PARK  
Community Development Department

APPLICATION FOR SPECIAL EXCEPTION REVIEW

Name of Applicant/Agent: Jeffrey Williams / ALDI Florida LLC

Address: 2056 Vista Parkway, Suite 200  
West Palm Beach, FL 33411

Telephone: 813-446-5915 Fax: 888-635-6198

E-mail address: jeff.williams@aldi.us

Owner Agent (Attach Agent Authorization Form)

Owner's Name (if not applicant): CONGRESS AVENUE PROPERTIES LTD

Address: 4500 PGA Boulevard Suite 207  
Palm Beach Gardens, FL 33418

Telephone: Fax:

E-Mail address:

Property Location: North Congress Avenue, Lake Park, FL 33403

Legal Description: Refer to survey

Property Control Number: 3643421900005040

Future Land Use: P.U.D. Zoning: C2

Acreage: 2.54 Square Footage of Use: 17,107 sf

Proposed Use: GROCERY STORE

Adjacent Property

Direction	Zoning	Business Name	Use
North	C2	Vacant	Vacant Commercial
East	C2	Vacant	Vacant Commercial
South	C2	Vacant	Vacant Commercial
West	TND	Residential	Residential



## **APPLICATION REQUIREMENTS:**

1. Please discuss how the Special Exception use is consistent with the goals, objectives, and policies of the Town's Comprehensive Plan.

The development of a new building on a currently undeveloped parcel will increase the Town's tax base. The site is not environmentally sensitive or historically significant and therefore the development of the site would not cause negative impacts to the surrounding area, or existing neighborhoods. The development of a general grocery store across Congress Avenue from a large residential apartment complex furthers the two objectives and the policy of the Comprehensive Plan of infill development which is considerate of existing neighborhoods. The Palm Beach County Traffic Division has issued a traffic concurrency letter confirming the development of Aldi will not exceed the adopted level of service for North Congress Avenue.

2. Please discuss how the proposed Special Exception is consistent with the land development and zoning regulations and all other portions of the Town of Lake Park Code of Ordinances.

The proposed site plan has been reviewed for consistency with the Land Development Code and has been determined to meet or exceed the required Development Codes.

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3. Please explain how the proposed Special Exception use is compatible with the character and use (existing and future) of the surrounding properties in its function; hours of operation; type and amount of traffic to be generated; building location; mass; height and setback; and other relevant factors peculiar to the proposed Special Exception use and the surrounding property.

The development of a general grocery store is compatible with the character of the surrounding commercial uses. The commercial uses along North Congress Avenue include big box retail businesses such as Kohl's, Walmart, and Target. The applicant's proposed hours of operation (from 9 am- 8 pm, 7 days a week) are comparable to these businesses and considerate of the surrounding areas, including the residential district directly across the proposed site on the west side of North Congress Avenue.

4. Please explain how the establishment of the proposed Special Exception use in the identified location does not create a concentration or proliferation of the same or similar type of Special Exception use, which may be deemed detrimental to the development or redevelopment of the area in which the Special Exception use is proposed to be developed.

The proposed Grocery Store is currently the only grocery store proposed in the Commerce Park. In addition it is the only grocery store along the North Congress Avenue corridor however, there are several businesses along the Corridor that provide food (grocery) sales as part of their operation. Given the nature of this use being proposed as a standalone grocery store, and the market it will serve, it is highly unlikely that the general grocery store would result in a proliferation of grocery stores in this area of the Town.

5.a. The proposed site is not expected to have a detrimental impact on the surrounding properties. The site plan meets the LDR for a general grocery store and provides the required parking for customers and employees.  
5.b. The primary operations of the proposed Special Exception Use are entirely indoors, and therefore, should not produce any external visual or odor nuisances. The truck delivery service may create some noise, odor, or other nuisances, however, this activity will take place on the exterior of the building inside the truck well which is screened from public view. This type of delivery area is similar to other businesses within the corridor. This may mitigate to a small degree the noise or visual nuisances that may occur as a result of the deliveries. The dumpster is proposed to be located within the truck well and will be screened from Public view as well.  
5c.PBC Traffic division has issues a traffic concurrency letter which states that the adjacent roadways have the required capacity for the Proposed Use.

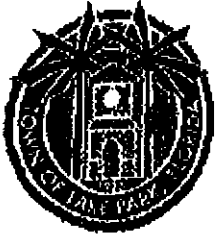
5. Please explain how the Special Exception use does not have a detrimental impact on surrounding properties based on; (a) The number of persons anticipated to be using, residing, or working on the property as a result of the Special Exception use; (b) The degree of noise, odor, visual, or other potential nuisance factors generated by the Special Exception use; (c) The effect on the amount and flow of traffic within the vicinity of the proposed Special Exception use.
6. Please explain how the proposed Special Exception use meets the following requirements; (a) does not significantly reduce light and air to adjacent properties; (b) does not adversely affect property values in adjacent areas; (c) would not be deterrent to the improvement, development or redevelopment of surrounding properties in accord with existing regulations; (d) does not negatively impact adjacent natural systems or public facilities, including parks and open spaces; and (e) provides pedestrian amenities, including, but not limited to, benches, trash receptacles, and/or bicycle parking.

6.a. The building location on the Site generally meets the setback regulations of the Town Code for a use of this nature. It should be noted that the Site is within a "master planned" PUD.  
6.b. It is not anticipated that the Site's development will not adversely affect the adjacent property values.  
6.c. The proposed Special Exception Use would not be a deterrent to the improvement, development or redevelopment of surrounding properties.  
6.d. The proposed Site is not within or in close proximity to any naturally sensitive areas or parks. The proposed is within a PUD therefore the North, East and South sides about the PUD which is currently undeveloped. The west side is adjacent to North Congress Avenue, therefore the proposed Special Exception Use will not negatively impact any open space or public facilities.  
6.e. The site plan indicates that trash receptacles, benches and bike racks will be located at appropriate locations on the Site. Pedestrian access has been provided in all direction adjacent to the PUD and the Site provides connectivity to and from North Congress Avenue.

- a. Special Exception fee plus escrow of \$800.00.
- b. Advertising costs: The petitioner shall pay all costs of publication of public hearing required in a newspaper of general circulation within the Town. This cost will be deducted from the escrow.
- c. Courtesy Notice Property Owners List. A complete list of property owners and mailing addresses of all property owners within 300 feet of the subject parcel as recorded in the latest official tax role in the County Court House. Certified Mail will be sent to all owners within 300 feet; postage will be deducted from escrow.
- d. The applicant must place a 3'x 3' sign on the property to be readily visible to vehicular and pedestrian traffic stating "THIS SITE IS BEING CONSIDERED FOR A CONDITIONAL USE – TOWN OF LAKE PARK". The applicant shall remove sign from subject property within ten (10) days of final action.
- e. Location Map

MAR 07 2014

PENNIMH016



## THE TOWN OF LAKE PARK

### APPLICATION FOR SITE PLAN REVIEW

Project Name: ALDI - Lake ParkProperty Address: North Congress Avenue, Lake Park, FL 33403Owner: CONGRESS AVENUE PROPERTIES LTD Address: 4500 PGA Boulevard Suite 207  
Palm Beach Gardens, FL 33418Applicant (if not owner): Jeffrey Williams / ALDI Florida LLCApplicant's Address: 2058 Viste Parkway, Suite 200  
West Palm Beach, FL 33411 Phone: 813-446-5915Fax: 888-635-8188 Cell Phone: \_\_\_\_\_ E-Mail: jeff.williams@aldi.usProperty Control Number (PNC): 3643421900005040**Site Information:**General Location: Parcel of Land on East side of North Congress Avenue between Water Tower Road and  
Park Avenue WestAddress: North Congress Avenue, Lake Park, FL 33403Zoning District: C-2 Future Land Use: Comm LI Industrial Acreage: 2.54  
Business district**Adjacent Property:**

Direction	Zoning	Business Name	Use
North	C2	Vacant	Vacant Commercial
East	C2	Vacant	Vacant Commercial
South	C2	Vacant	Vacant Commercial
West	TND	Residential	Residential

**Justification:**

Information concerning all requests (attach additional sheets if needed.)

- 1 Explain the nature of the request Construction of a +/- 17,135 square foot ALDI grocery store and  
associated parking lot and driveways.

2 What will be the impact of the proposed change on the surrounding area?

The proposed site is within a commercial business area so the proposed project should not have an adverse impact to surrounding projects.

3 How does the proposed project comply with Town of Lake Park's zoning requirements?

Proposed commercial business use complies with the current zoning and future land use designation.

**Legal Description:**

The subject property is located approximately \_\_\_\_\_ mile(s) from the intersection of \_\_\_\_\_ on the \_\_\_\_\_ north, X east \_\_\_\_\_ south, \_\_\_\_\_ west side of North Congress Avenue (street/road)

Legal Description See attached legal description.

I hereby certify that I am (we are) owner(s) of record of the above described property or that I (we) have written permission from the owner(s) of record to request this action

  
Signature of Owner/Applicant

3-5-14  
Date

**Consent Form from Owner and Designation of Authorized Agent:**

Before me, the undersigned authority, personally appeared \_\_\_\_\_  
who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description
2. That he/she is requesting \_\_\_\_\_  
in the Town of Lark Park, Florida
3. That he/she has appointed Ryan Thomas, Brandon Ulmer, Thomas Engineering Group  
to act as authorized on his/her behalf to accomplish the above project

Name of Owner CONGRESS AVENUE PROPERTIES Ltd.

[Signature]  
Signature of Owner

Judith Galvia, V-President  
By Name/Title

4500 PGA Boulevard Suite 207  
Street Address

Palm Beach Gardens, FL 33418  
City, State, Zip code

\_\_\_\_\_  
P O Box

\_\_\_\_\_  
City, State, Zip code

561-691-9050  
Telephone Number

561-622-1851  
Fax Number

\_\_\_\_\_  
Email Address

Sworn and subscribed before me this 5<sup>th</sup> day of March 2014



[Signature]  
Notary Public

My Commission expires \_\_\_\_\_

**RECEIPT**

**LEGAL NOTICE OF PUBLIC HEARING  
FOR A SPECIAL EXCEPTION USE  
AND SITE PLAN APPLICATION -  
TOWN OF LAKE PARK**

Please take notice and be advised that the Planning & Zoning Board will hold a public hearing on Monday, September 8, 2014 at 7:00 p.m., in the Town Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida, for a Special Exception Use Application and a Site Plan Application by ALDI Florida, LLC. The Special Exception Use Application seeks to establish the use of a general grocery store within the Congress Business Park Planned Unit Development (PUD), to be located on a parcel between Watertower Road and the Park Avenue West, on the east side of North Congress Avenue. The Site Plan Application proposes the development of the proposed 17,107 square foot, one-story general grocery store within the above-referenced PUD. The applications will also tentatively be heard by the Town Commission of the Town of Lake Park at the meeting of Wednesday October 1, 2014 at 6:30 p.m., or as soon thereafter as can be heard, in the Lake Park Town Hall Commission Chambers, 535 Park Avenue, Lake Park, Florida.

If a person decides to appeal any decision made by the Planning and Zoning Board or the Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Town Clerk: Vivian Mendez  
8-29/2014 #294761



**Town of Lake Park  
Community Development Department**

**Certified Mail – You are receiving this notice because you are the legal owner of record for property that is located within 300 feet of the subject property.**

August 28, 2014

**Re: ALDI Florida, LLC - Special Exception Use & Site Plan Application**

Dear Property Owner:

Please be advised that ALDI Florida, LLC (also known as "ALDI") has filed an application for Special Exception to establish the use of a general grocery store within the Congress Business Park Planned Unit Development (PUD), to be located on a parcel between Watertower Road and Park Avenue West, on the east side of North Congress Avenue. The Applicant is also requesting approval of a Site Plan Application to develop the 17,107 square foot, one-story general grocery store in the above referenced PUD.

The Planning and Zoning Board will conduct a public hearing to consider these applications on **Monday, September 8, 2014 at 7:00 p.m.**

The item will also tentatively be heard by the Town Commission on **Wednesday, October 1, 2014 at 6:30 p.m.**, or as soon thereafter as can be heard.

Both hearings will be held in the Town Hall Commission Chambers located at 535 Park Avenue, Lake Park, Florida. If you have any questions, please do not hesitate to call the Community Development Department at (561) 881-3319.

Sincerely,



Debbie Abraham, Town Planner

# Town Commission Meeting

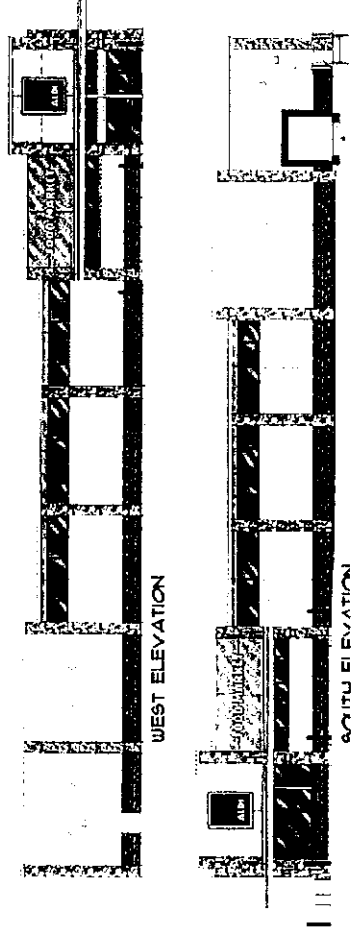
November 19, 2014

ALDI Special Exception & Site Plan

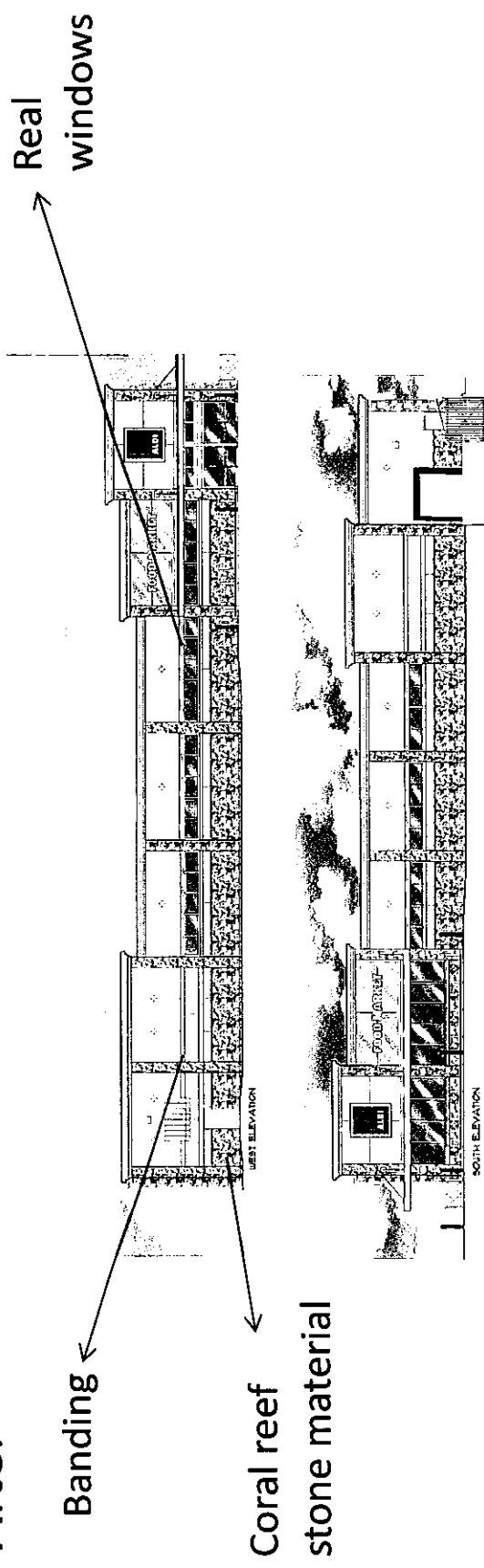


# ALDI Architectural Elevations

Before

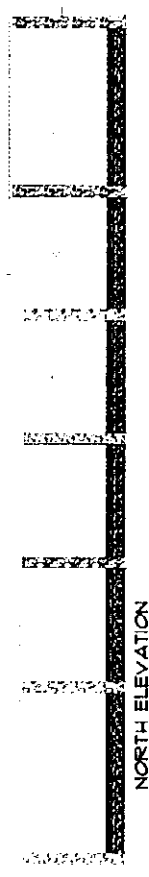


After

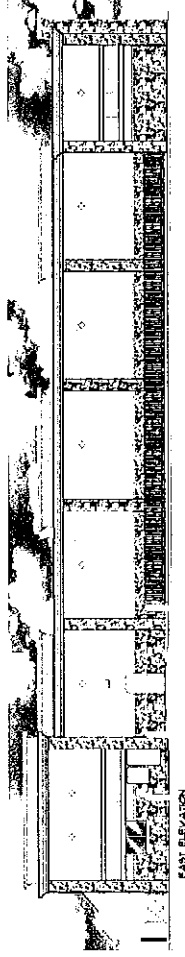


# ALDI Architectural Elevations

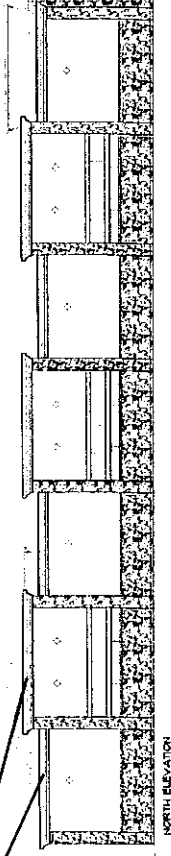
Before



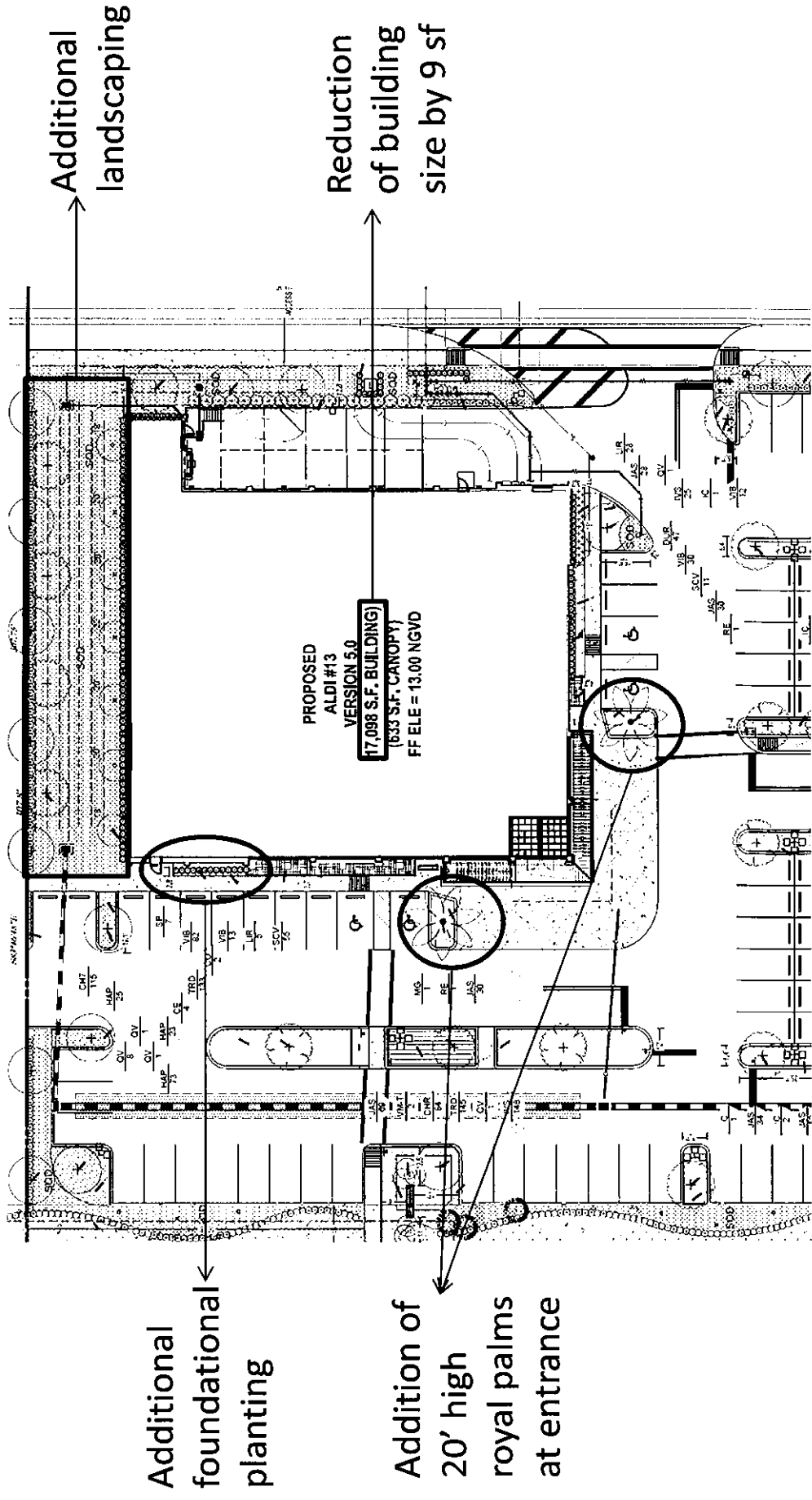
After



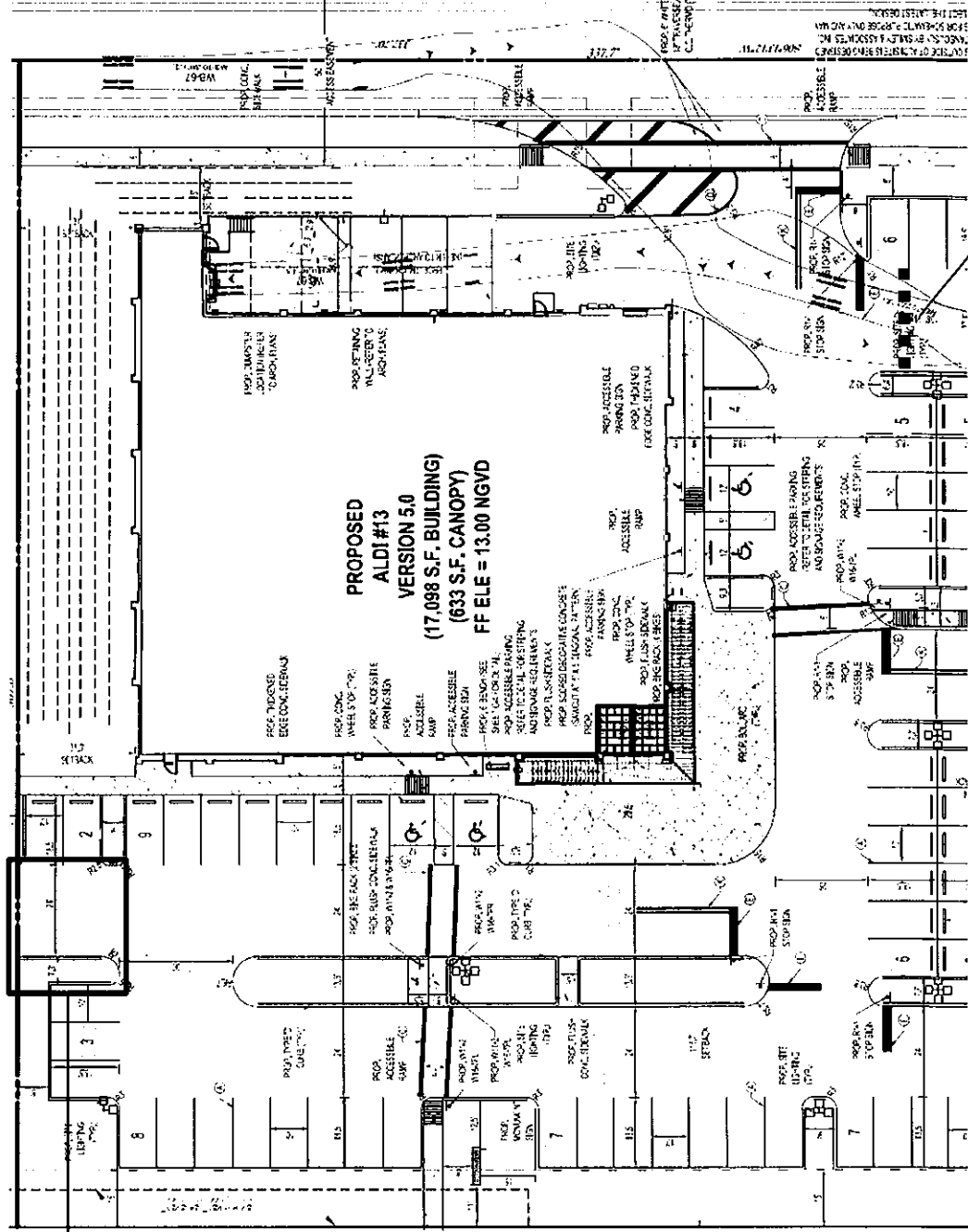
Varied roof  
line  
projections



# ALDI Landscaping Plan

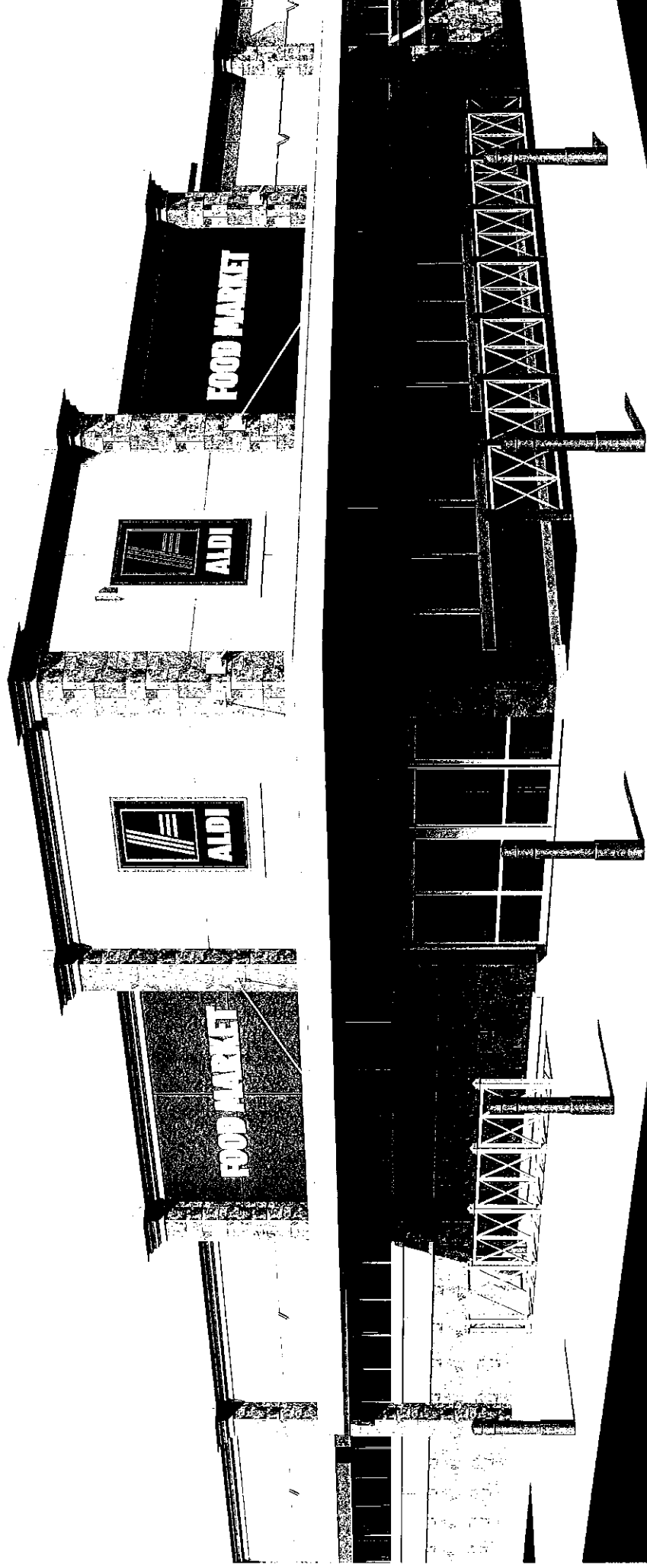


# ALDI Site Plan



Extended  
driveway  
for cross  
access

Increased truck drive  
aisle width of 27.4'



COVER SHEET  
C-1  
SHEET NUMBER

[illegible]

An aerial photograph of a coastal area. A black arrow points from the word 'SITE' to a small, shaded rectangular area on a peninsula. The peninsula is connected to a larger landmass by a narrow strip. The surrounding water is labeled 'LAKE MICHIGAN'. Other labels include 'MICHIGAN' and 'LAKE MICHIGAN' in various orientations. The map is framed by a thick black border.

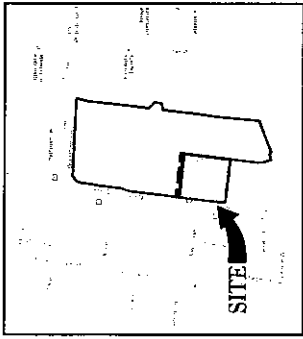
**RADICE III**  
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FT. LAUDERDALE, FL 33334  
PH: (954) 202-7000  
FX: (954) 202-7070  
[www.ThomaseEngineeringGroup.com](http://www.ThomaseEngineeringGroup.com)

COVER SHEET	C-1
GENERAL NOTES	C-2
SITE PLAN	C-3
SITE PLAN DETAILS	C-4
PAVING, GRADING & DRAINAGE PLAN	C-5
PAVING, GRADING & DRAINAGE DETAILS	C-6
CROSS SECTIONS	C-7
WATER & SEWER PLAN	C-8
WATER & SEWER DETAILS	C-9
EROSION CONTROL PLAN	C-10
SITE PHOTOMETRICS	C-11
LANDSCAPE PLANTING PLAN	LP-1
LANDSCAPE PLANTING DETAILS	LP-2
LANDSCAPING GENERAL NOTES	LP-3
IRRIGATION PLAN	LI-1
IRRIGATION SCHEDULES & NOTES	LI-2
IRRIGATION DETAILS	LI-3
LAND SURVEY	1 of 1
OPERATIONS PLAN (FLOOR PLAN)	A-31
BUILDING ELEVATIONS	A-201
BUILDING SECTION	A-202
MONUMENT SIGN	MS/00

ALL ELEVATIONS ARE BASED ON  
NATIONAL GEODETIC VERTICAL



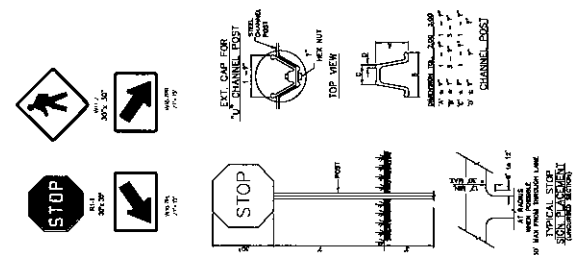
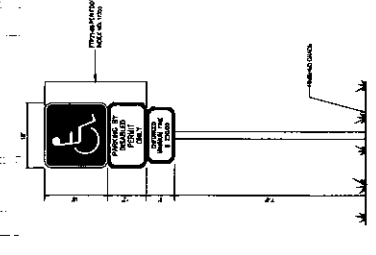
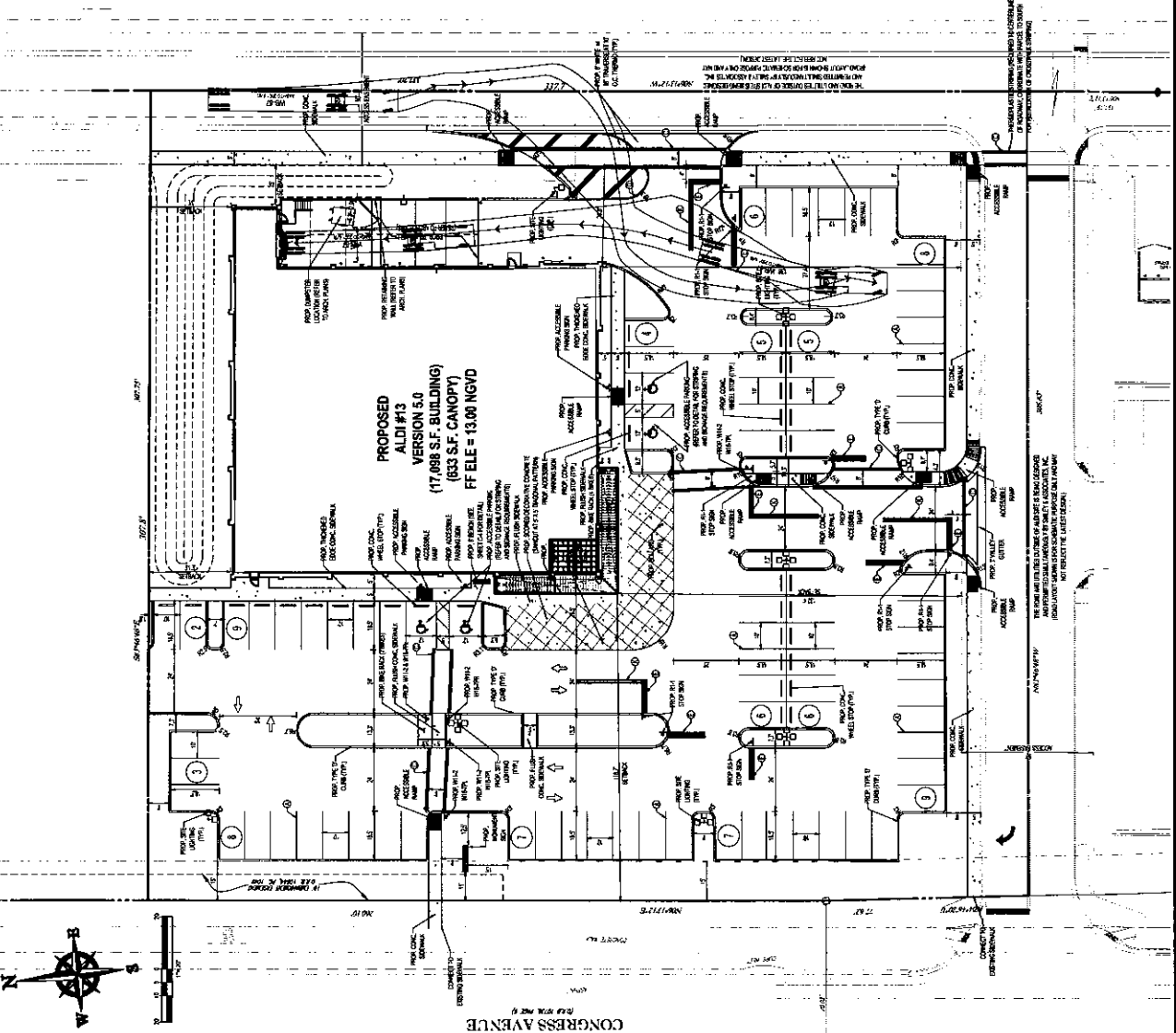




## LOCATION MAP

[illegible]

- ANSWER KEY**
1. **PARALLEL PARAGRAPHS** IS A TECHNIQUE USED BY THE WRITER TO DRAWN THE READER'S ATTENTION TO THE MAIN POINT OF THE PARAGRAPH BY REPEATING THE SAME WORD OR PHRASE IN THE SAME POSITION IN EACH SENTENCE.
  2. **ALL BUT THE PHRASE "ANDERSON WAS" IS USED IN ACCORDANCE WITH PARALLELISM** IN ORDER TO MAINTAIN THE PARALLEL STRUCTURE OF THE SENTENCE.
  3. **PARALLELISM IS NOT DEMONSTRATED BY THE REPEATING OF THE WORDS "THEY WERE" IN EACH SENTENCE.** THE REPEATING OF THE WORDS "THEY WERE" DOES NOT MAINTAIN THE PARALLEL STRUCTURE OF THE SENTENCE.
  4. **THE WRITER USES PARALLELISM TO ACCORDANCE WITH THE PARALLEL STRUCTURE OF THE SENTENCE.** THE WRITER USES PARALLELISM TO ACCORDANCE WITH THE PARALLEL STRUCTURE OF THE SENTENCE.
  5. **THE WRITER USES PARALLELISM TO ACCORDANCE WITH THE PARALLEL STRUCTURE OF THE SENTENCE.** THE WRITER USES PARALLELISM TO ACCORDANCE WITH THE PARALLEL STRUCTURE OF THE SENTENCE.

[illegible]





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DATE 10/10/2010

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**DRAINAGE DETAILS**  
SHEET NO. 10000000000000000000

**C-6**

SECTION A-A

1. PRECAST CONCRETE CATCH BASIN

2. PRECAST CONCRETE-TOP SLAB

3. PRECAST CIRCULAR DRAINAGE MANHOLE

4. PRECAST CONCRETE-TOP SLAB FOR DRAINAGE MANHOLES

SECTION A-A

5. PRECAST CIRCULAR CURB INLET

6. PRECAST CONCRETE-TOP SLAB

7. TRENCH DETAIL

8. POLLUTION RETARDANT Baffle DETAIL

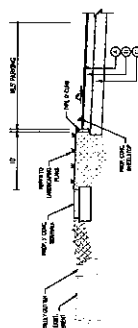
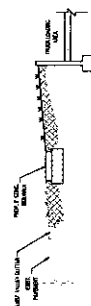
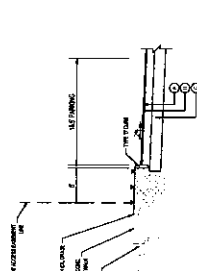
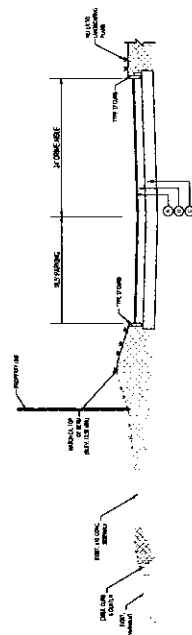
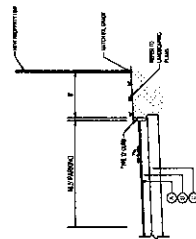
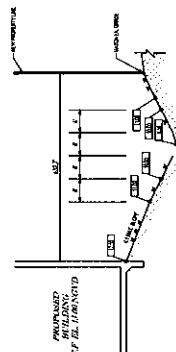
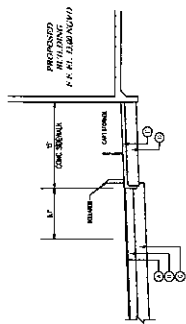
SECTION A-A

9. EXFILTRATION TRENCH

10. INVERTED DEBRIS Baffle (CONTROL STRUCTURE)

11. SAWCUT/MATCH ASPHALT PAVEMENT DETAIL

SECTION A-A



## PAVEMENT LEGEND

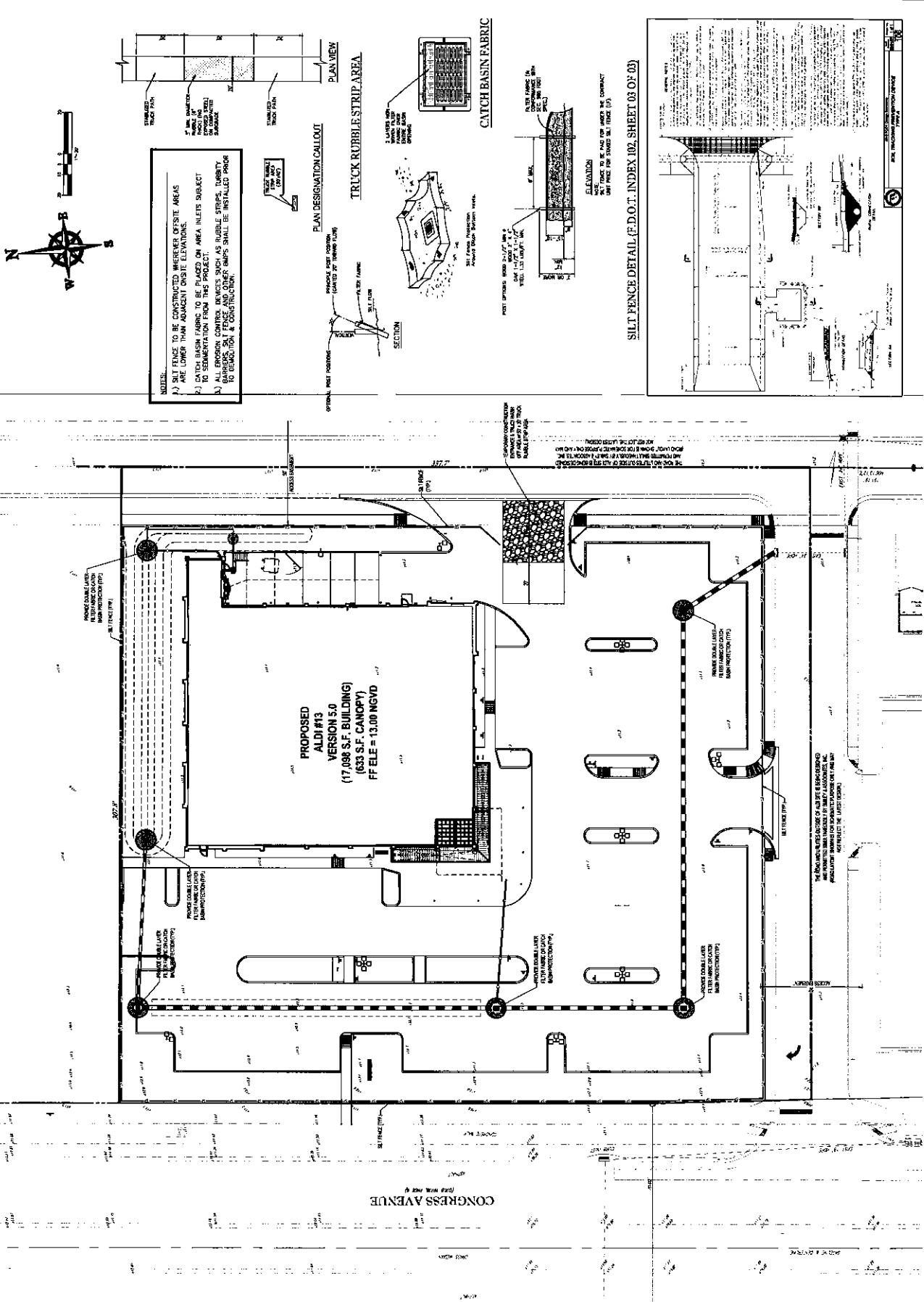
- |   |  |
|---|--|
| A | <p>WEARING SURFACES (FINISH ASPHALT AREAS ONLY). 2 INCHES OF SP-9.5 FINE MIX ASPHALT CONCRETE (2-1" LIFTS), 2 INCHES OF SP-9.5 MEDIUM MIX ASPHALT CONCRETE (2-1" LIFTS) TO ALLOW MOBILIZATION OF MATERIAL IN TWO SEPARATE 1" LIFTS TO ALLOW MOBILIZATION OF THE SECOND LIFT OF ASPHALT.</p> <p>ALL OTHERS SHALL BE COMPLETED BY ONE LIFT OF ASPHALT. HAS BEEN COMPLETED UPON COMPLETION OF SECOND LIFT OF ASPHALT.</p> <p>ANY SCATTERED GRAVEL OR LOSS OF AGGREGATE WILL NOT BE ACCEPTED. CONTRACTOR TO REMEND ALL HOLES, BLEMISHES ETC. PRIOR TO THE INFORM INSTALLATION OF SECOND LIFT AFTER SECOND LIFT OF ASPHALT IS INSTALLED. TRAFFIC ROLLERS IS REQUIRED.</p> |
| B | <p>LIME DOGS BASE (ASPHALT TYPE I, PORTLAND CEMENT PAVING AREA) LIME DOGS BASE. CONCRETE MATERIAL FOR PAVED AREAS SHALL BE A MINIMUM 1" THICKNESS AND COMPACTED TO 98% MAXIMUM DRY DENSITY PER ASPHITO T-190 (LR 100). OTHER SUBSTITUTES SHALL BE PER FOOT SPECIFICATIONS AND PROVIDE EQUIVALENT STRUCTURAL NUMBER AS ABOVE (MIN LR 100).</p>  |
| C | <p>SUB-BASE: TYP STABILIZED SUB-BASE: COMPACTED TO 98% OF MAX. DRY DENSITY PER ASPHITO T-190 (MIN LR 40).</p>  |
| D | <p>COMPACTED SUBGRADE (PAVEMENTS AND CONCRETE PAVEMENT) COMPACTED TO 98% MAXIMUM DRY DENSITY PER ASPHITO T-190.</p>  |
| E | <p>THICKNESS SIDEWALKS<br/>4" THICK 3000 P.S.I. CONCRETE @ 28 DAYS EXCEPT IN DRIVEWAYS WHERE THICKNESS SHALL BE 6" AND 4,000 P.S.I.</p>  |
| F | <p>CONCRETE DRIVEWAY SLABS<br/>THICKNESS 6" P.S.I. CONCRETE @ 28 DAYS EXCEPT IN DRIVEWAYS WHERE THICKNESS SHALL BE 6" AND 4,000 P.S.I.</p>   |

[illegible]









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10/1/2018	2	THOMAS	
10/1/2018	3	THOMAS	
10/1/2018	4	THOMAS	
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10/1/2018	6	THOMAS	
10/1/2018	7	THOMAS	
10/1/2018	8	THOMAS	
10/1/2018	9	THOMAS	
10/1/2018	10	THOMAS	
10/1/2018	11	THOMAS	
10/1/2018	12	THOMAS	
10/1/2018	13	THOMAS	
10/1/2018	14	THOMAS	
10/1/2018	15	THOMAS	
10/1/2018	16	THOMAS	
10/1/2018	17	THOMAS	
10/1/2018	18	THOMAS	
10/1/2018	19	THOMAS	
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10/1/2018	27	THOMAS	
10/1/2018	28	THOMAS	
10/1/2018	29	THOMAS	
10/1/2018	30	THOMAS	

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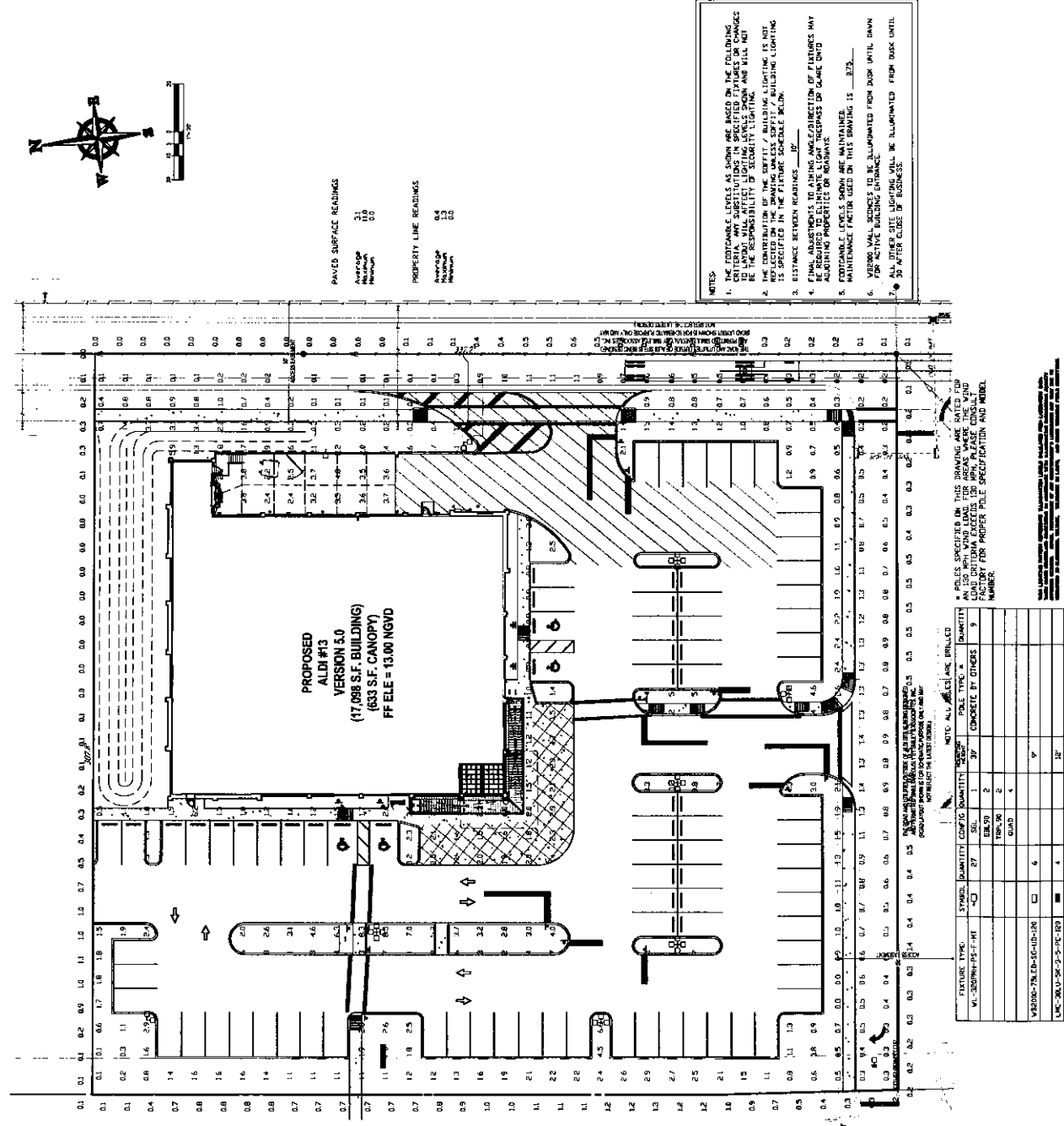
**PHOTOMETRIC PLAN**

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SHEET: LP-1  
SCALE: 1" = 10'-0"

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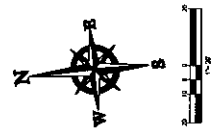
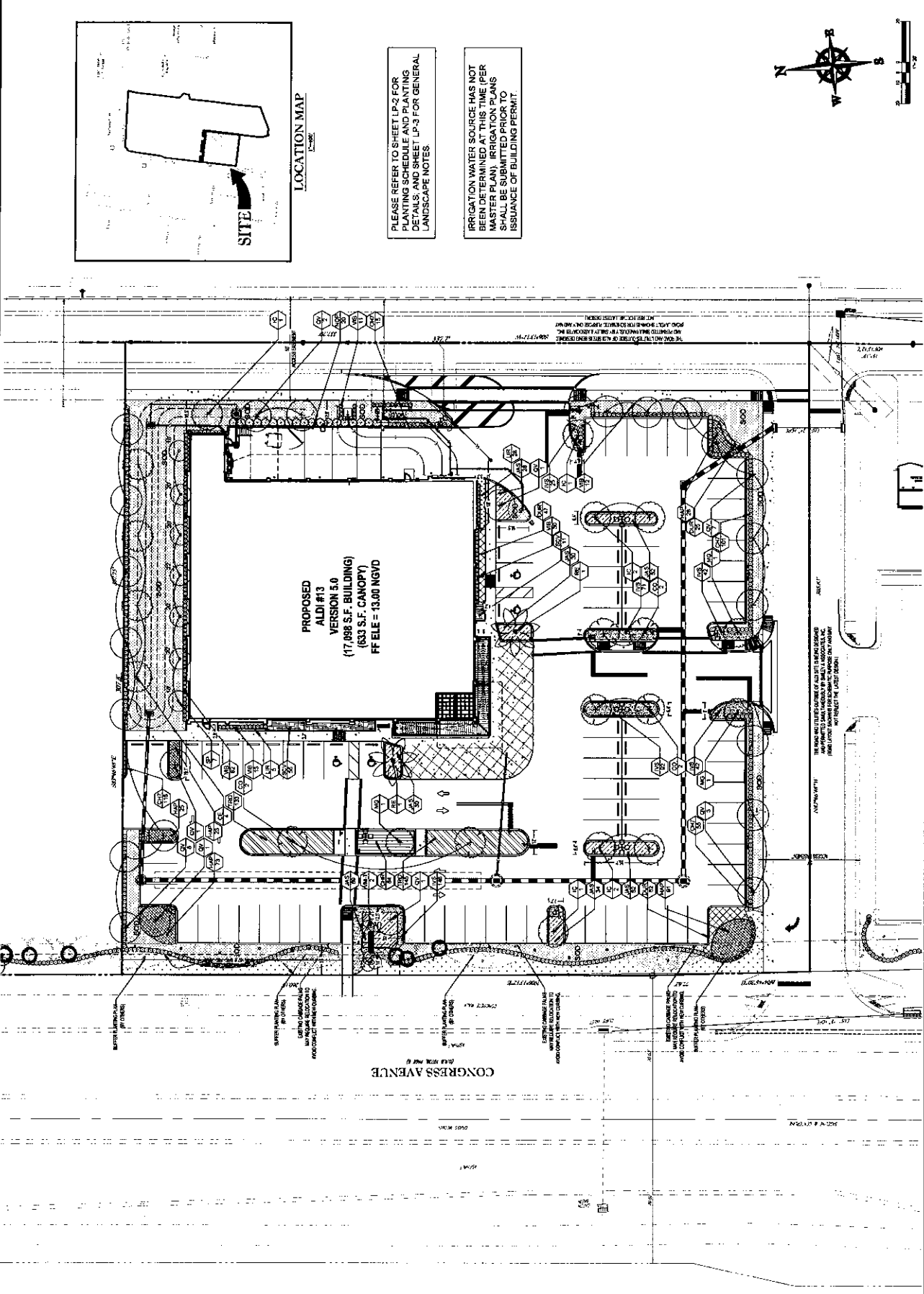
ENTITLEMENT  
PROJECT: ALDI #13  
SHEET: LP-1  
SCALE: 1" = 10'-0"

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CONGRESS AVENUE  
FOR  
CITY OF LAKE PARK  
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**MICHAEL D. GROSSWIRTH**  
REGISTERED LANDSCAPE ARCHITECT  
FLORIDA LICENSE NO. 100000000  
DATE OF EXPIRATION: 12/31/2020

LANDSCAPE PLAN  
SHEET NUMBER  
**LP-1**



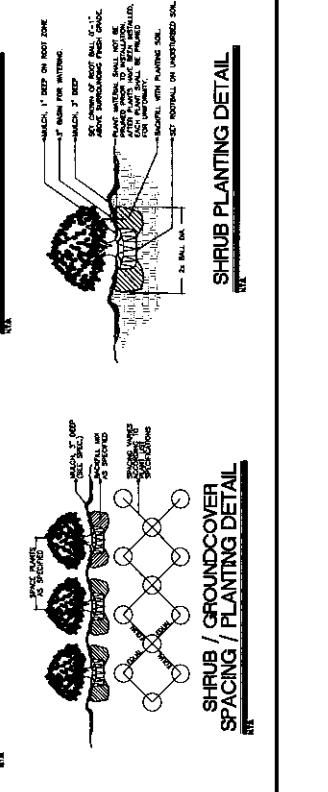
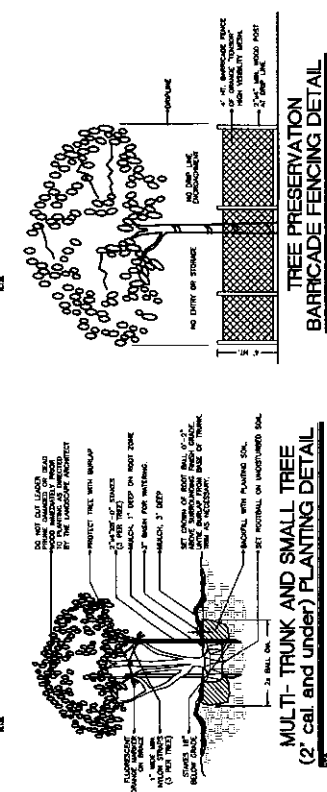
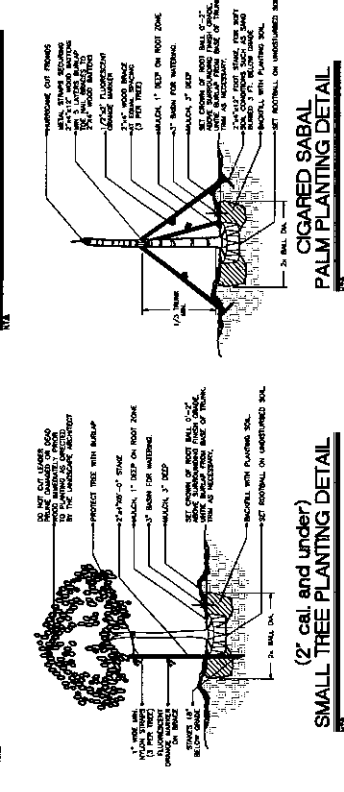
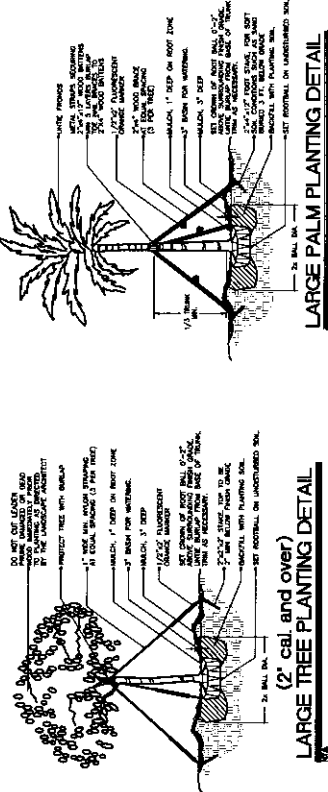
# PLANT SCHEDULE

QTY	COMMON NAME	SPECIFICATIONS	HEIGHT	SPREAD	NATIVE	USDA	REMARKS
4	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
6	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
7	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
8	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
9	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
10	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
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12	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
13	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
14	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
15	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
16	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
17	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
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44	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
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47	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
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58	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
59	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
60	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
61	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
62	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
63	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
64	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
65	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
66	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
67	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
68	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
69	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
70	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
71	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
72	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
73	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
74	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
75	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
76	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
77	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
78	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
79	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
80	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
81	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
82	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
83	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
84	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
85	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
86	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
87	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
88	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
89	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
90	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
91	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
92	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
93	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
94	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
95	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
96	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
97	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
98	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
99	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT
100	Quercus laevis	B.B.B.	25' to 30'	15' to 20'	Yes	High	5-12 CT

TOWN OF LAKE PARK PREPARED BY J. L. LESTER

## LANDSCAPE CODE COMPLIANCE CHART

LANDSCAPE CODE	COMPLIANCE CHART
1.00	1.00
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100.00	100.00



**HOMAS**  
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SUITE 100  
LAKE PARK, FL 33403  
TEL: 888-333-3333  
WWW.HOMASLANDSCAPE.COM

**811**  
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1-800-4-A-DIG  
WWW.CALLBEFOREYODIG.COM

**ENTITLEMENT**  
PROJECT: LAKE PARK LAND DEVELOPMENT CODE SEC 72-23  
DATE: 10/1/2011  
DRAWN BY: J. L. LESTER  
CHECKED BY: J. L. LESTER  
APPROVED BY: J. L. LESTER

**ALDI #13**  
PARK AVENUE WEST & CONGRESS AVENUE  
PROJECT: ALDI #13  
DATE: 10/1/2011  
DRAWN BY: J. L. LESTER  
CHECKED BY: J. L. LESTER  
APPROVED BY: J. L. LESTER

**HOMAS**  
LANDSCAPE ARCHITECTS  
1000 CONGRESS AVENUE  
SUITE 100  
LAKE PARK, FL 33403  
TEL: 888-333-3333  
WWW.HOMASLANDSCAPE.COM

**MICHAEL D. CROSSWORTH**  
REGISTERED LANDSCAPE ARCHITECT  
FLORIDA LICENSE # 10000  
1000 CONGRESS AVENUE  
SUITE 100  
LAKE PARK, FL 33403  
TEL: 888-333-3333  
WWW.HOMASLANDSCAPE.COM

**LANDSCAPE PLANTING DETAILS**  
SHEET NUMBER: LP-2

**LP-2**



**HOMAS**

1001 BEECHWOOD DRIVE, SUITE 200  
FARMINGTON, CT 06030  
TEL: 860.634.1100  
WWW.HOMAS-ENGINEERING.COM

NO.	DATE	DESCRIPTION	BY	CHKD.
1	08/11/2017	ISSUED FOR PERMIT	MM	MM
2	08/11/2017	ISSUED FOR PERMIT	MM	MM
3	08/11/2017	ISSUED FOR PERMIT	MM	MM
4	08/11/2017	ISSUED FOR PERMIT	MM	MM
5	08/11/2017	ISSUED FOR PERMIT	MM	MM
6	08/11/2017	ISSUED FOR PERMIT	MM	MM
7	08/11/2017	ISSUED FOR PERMIT	MM	MM
8	08/11/2017	ISSUED FOR PERMIT	MM	MM
9	08/11/2017	ISSUED FOR PERMIT	MM	MM
10	08/11/2017	ISSUED FOR PERMIT	MM	MM

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**ENTITLEMENT**

PROJECT NO. 17-0000  
CONTRACT NO. 17-0000  
SHEET NO. 17-0000

**ALDI #13**  
**PARK AVENUE WEST &**  
**CONGRESS AVENUE**

**ALDI**  
CITY OF LAKE PARK  
FLORIDA

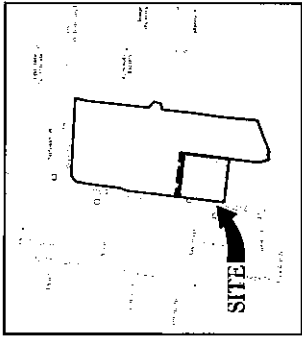
**HOMAS**  
ENGINEERING  
1001 BEECHWOOD DRIVE, SUITE 200  
FARMINGTON, CT 06030  
TEL: 860.634.1100  
WWW.HOMAS-ENGINEERING.COM

**MICHAEL D. CROSSWORTH**

REGISTERED PROFESSIONAL ENGINEER  
STATE OF CONNECTICUT  
LICENSE NO. 10000  
EXPIRATION DATE 12/31/2020

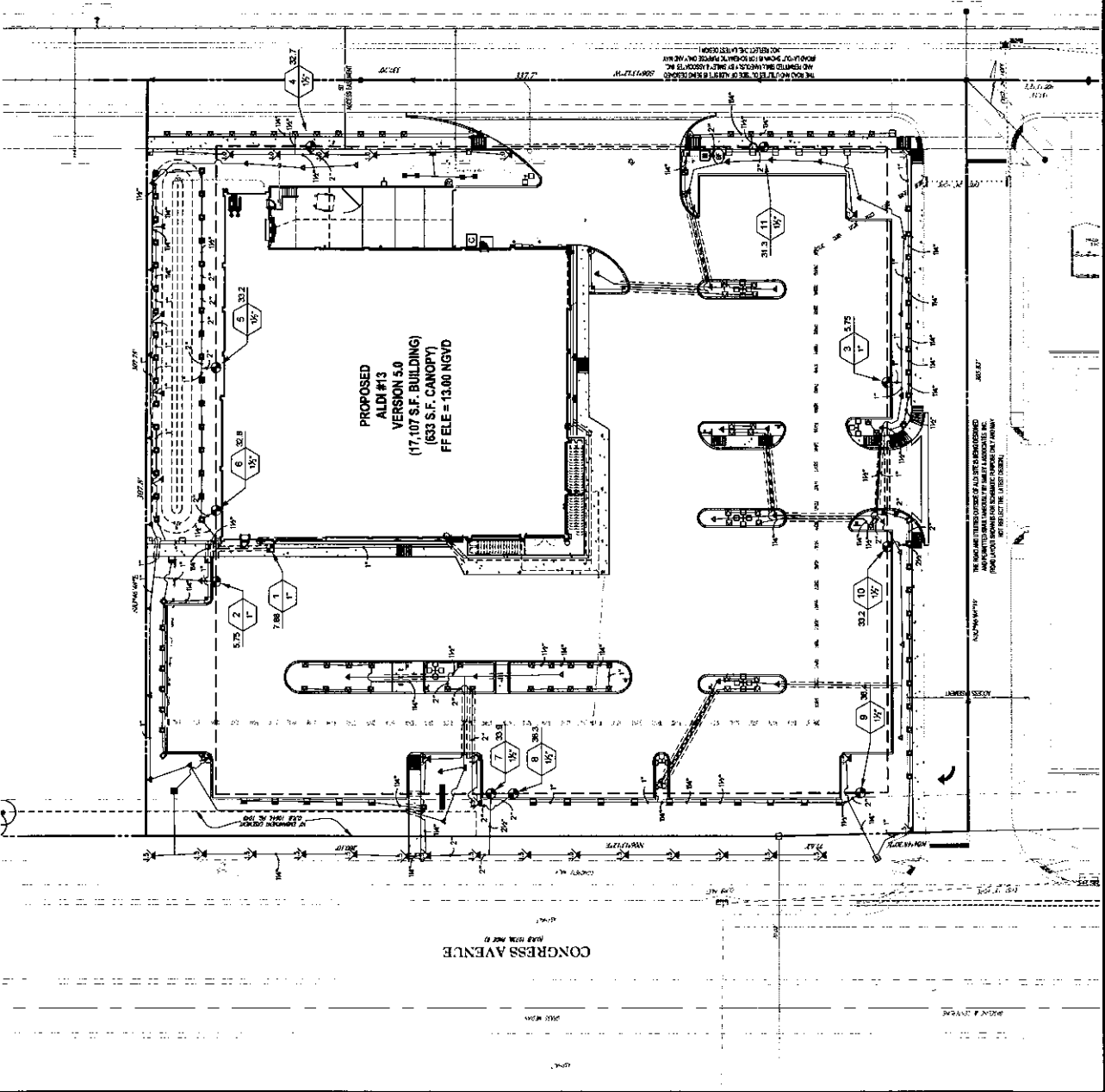
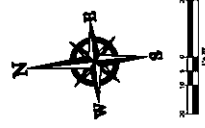
**IRRIGATION PLAN**

**LI-1**



**LOCATION MAP**

PLEASE REFER TO SHEET LI-2 FOR  
EQUIPMENT, VALVE AND WATERING  
SCHEDULES, CRITICAL ANALYSIS AND  
IRRIGATION NOTES, AND, SHEET LI-3 FOR  
IRRIGATION DETAILS.



[illegible][illegible][illegible][illegible][illegible][illegible]

PROJECT NO.	P140008
DRAWN BY	AAH
CHECKED BY	BU
DATE	02/14/74
CAD 1/D	P140008 - IRRIGATION PLAN
SHEET NO.	

**ALDI #13**  
**PARK AVENUE WEST &**  
**CONGRESS AVENUE**



ITY OF LARGE PART



1000 CORPORATE DRIVE, SUITE 200  
FORT LAUDERDALE, FL 33304  
694 (866) 202-2000  
FX: (866) 202-2070  
[www.ThermallyAnalogous.com](http://www.ThermallyAnalogous.com)

MICHAEL D. GROSSWORTH

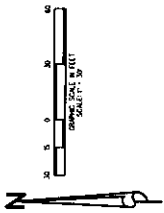
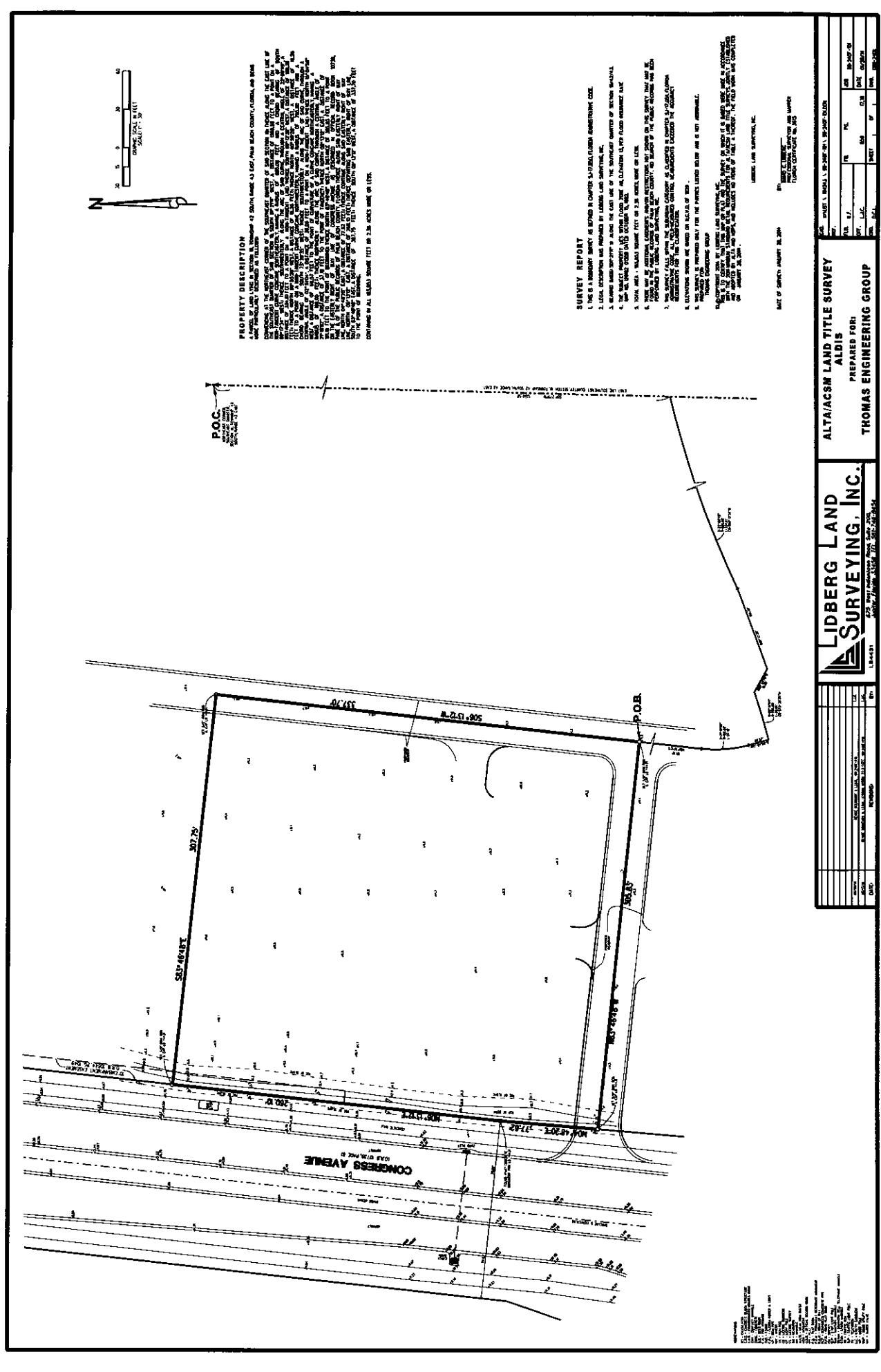
**REGISTERED LANDSCAPE ARCHITECT**  
**000072014**

**SHEET TITLE**  
**IRRIGATION**

## III-2







**PROPERTY DESCRIPTION**

1. A PARCEL OF LAND LIES IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

2. THE PARCEL OF LAND LIES IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

3. THE PARCEL OF LAND LIES IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

4. THE PARCEL OF LAND LIES IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

5. THE PARCEL OF LAND LIES IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

6. THE PARCEL OF LAND LIES IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

7. THE PARCEL OF LAND LIES IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

8. THE PARCEL OF LAND LIES IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

9. THE PARCEL OF LAND LIES IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

10. THE PARCEL OF LAND LIES IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**SURVEY REPORT**

1. THIS IS A SURVEY REPORT AS DEFINED IN CHAPTER 54, ARKANSAS CONSTITUTION CODE.
2. LEGAL DESCRIPTION WAS PREPARED BY LIDBERG LAND SURVEYING, INC.
3. BEARING AND DISTANCE WAS MEASURED BY THE SURVEYOR ALONG THE EAST LINE OF THE TRACT DESCRIBED IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
4. THE TOTAL AREA OF THE TRACT DESCRIBED IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
5. THE TOTAL AREA OF THE TRACT DESCRIBED IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
6. THE TOTAL AREA OF THE TRACT DESCRIBED IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
7. THE TOTAL AREA OF THE TRACT DESCRIBED IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
8. THE TOTAL AREA OF THE TRACT DESCRIBED IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
9. THE TOTAL AREA OF THE TRACT DESCRIBED IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
10. THE TOTAL AREA OF THE TRACT DESCRIBED IN SECTION 15, TOWNSHIP 43 NORTH, RANGE 43 EAST, ARKANSAS COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

DATE OF SURVEY: JANUARY 20, 2014



**LIDBERG LAND SURVEYING, INC.**  
ALTAACSM LAND TITLE SURVEY  
ALDIS  
PREPARED FOR:  
THOMAS ENGINEERING GROUP


DATE	PROJECT	BY	DATE	BY
1/20/14	ALDIS	J. LIDBERG	1/20/14	J. LIDBERG
1/20/14	ALDIS	J. LIDBERG	1/20/14	J. LIDBERG
1/20/14	ALDIS	J. LIDBERG	1/20/14	J. LIDBERG
1/20/14	ALDIS	J. LIDBERG	1/20/14	J. LIDBERG

Issued:		Date:	
A			
B			
C			
D			
Revisions:		Date:	
1			
2			
3			
4			
5			

Seal	MICHAEL E. LYNCH PL 1988
Director, Alteration	


Complex, flying, beyond any other experience, involved in producing these pretty new centers or what the school refers to as "Divergence" during the coming year will be important. Contact Carol & Jennifer (Columbian) with any issues for additional information or clarification.

**Culaci & Peterson**  
Architects Engineers Planners



1925 Prospect Ave.  
Orlando, FL 32814  
P (407) 661-9100  
P (407) 661-9101  
*Member AIA, ASPE*

Florida Architectural License No. 12070



**ALDI, Inc.**

Regional Office, FL Division  
10000 W. Colonial Blvd., Suite 200  
Orlando, FL 32835  
Tel: 407-851-1000  
Fax: 407-851-1001

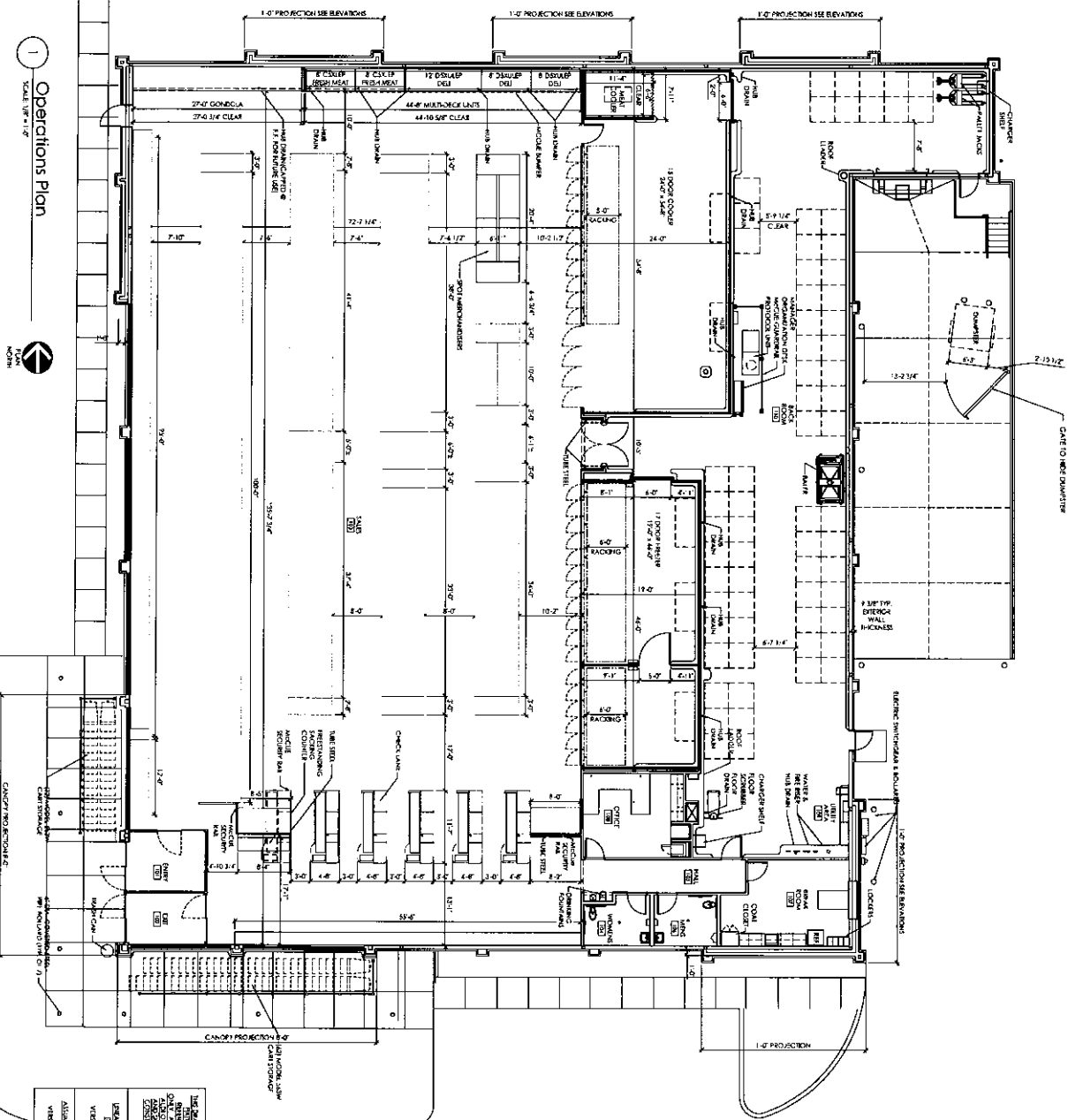
ALDI Food Store #13  
Southeast Corner of  
Congress Ave. & Park Ave., West  
Lake Park, FL  
Jurisdiction City of Lake Park  
Project Name & Location:

Operations Plan

Drawing Name:

Date: 10-06-14	2130757
Type: RHF-D-V5	

Drawn By: RJB	A-131
Scale: 1/8"=1'-0"	Drawing No.



Operations Plan

SCALE 1/8" = 1'-0"

1

PLAN NORTH

INTERIOR STATE AND CLASSIFICATION OF INTERIORS		BIOCLIMATIC STATE (1)	
		SUNSHINED	NOCTURNALIZED
OCCUPANCY CATEGORY	EXP. ENCLOSURE AND EXP. PARASOL	C	C
	CORRIDORS	C	C
	ROOMS AND ENCLOSED SPACES	C	C
	EXP. ENCLOSURE AND EXP. PARASOL	B	B
MODERATOR		C	C

[illegible]



Issued:

Date:

A	
B	
C	
D	

Revisions:

1	
2	
3	
4	
5	

Date:

Sheet

1 of 1

Scale

1/8" = 1'-0"

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1/2" = 1'-0"

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17" = 1'-0"

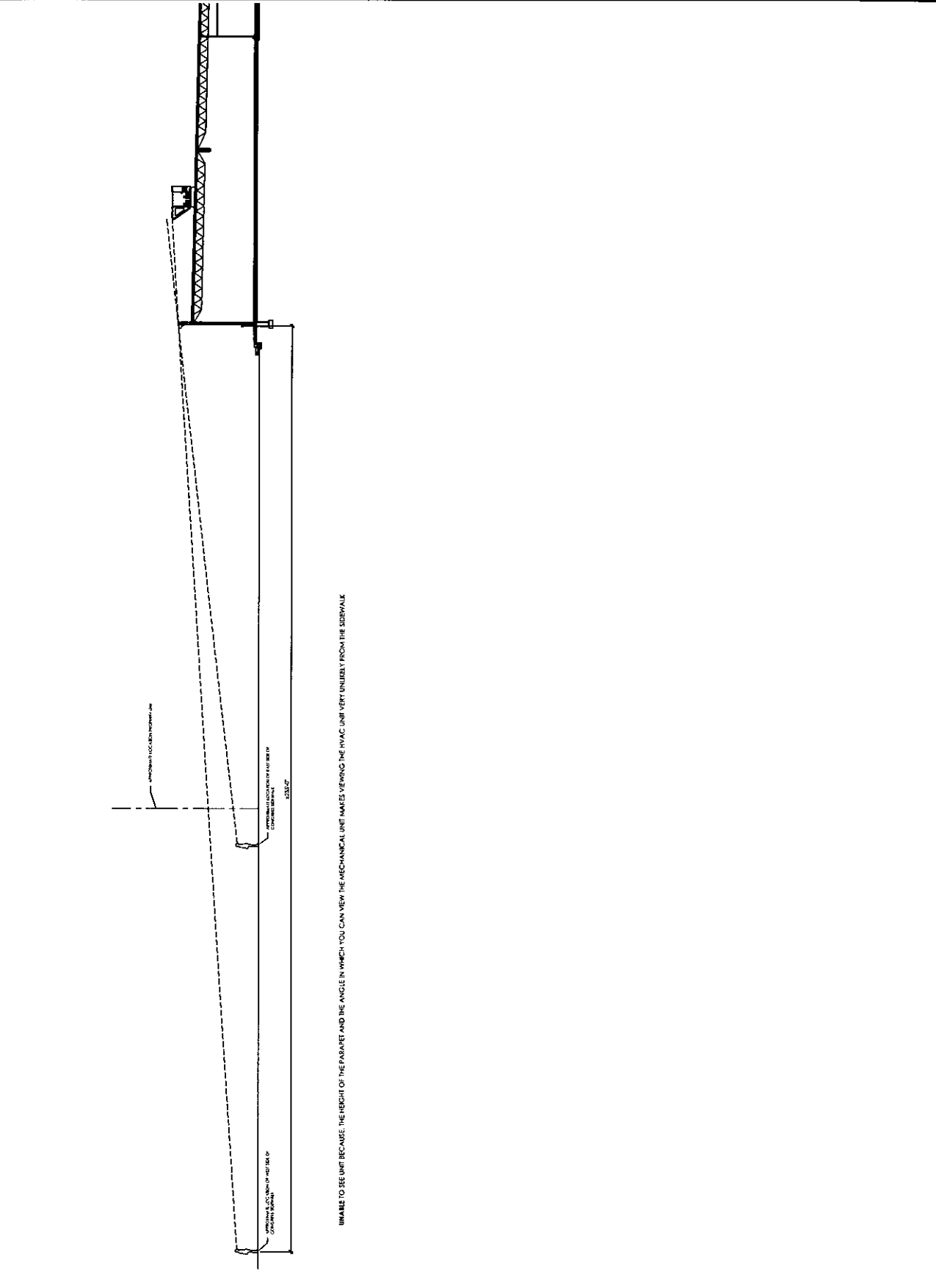
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17 1/2" = 1'-0"

17 3/4" = 1'-0"

18" = 1'-0"

18 1/4" = 1'-0"



UNABLE TO SEE UNIT BECAUSE THE HEIGHT OF THE PARAPET AND THE ANGLE IN WHICH YOU CAN VIEW THE MECHANICAL UNIT MAKES VIEWING THE HVAC UNIT VERY UNLIKELY FROM THE SIDEWALK

**Chase & Peterson**  
Architects Engineers Planners  
1925 Prospect Ave.  
Orlando, FL 32814  
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P (407) 661-9101  
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**ALDI, Inc.**  
280 S.W. 17th Ave.  
Miami, FL 33134  
www.aldi.us

ALDI Food Store #13  
Southeast Corner of  
Congress Ave. & Lake Park Ave  
Lake Park, FL  
Jurisdiction City of Lake Park  
Project Name & Location:

**BUILDING  
SECTION**  
Drawing Name:

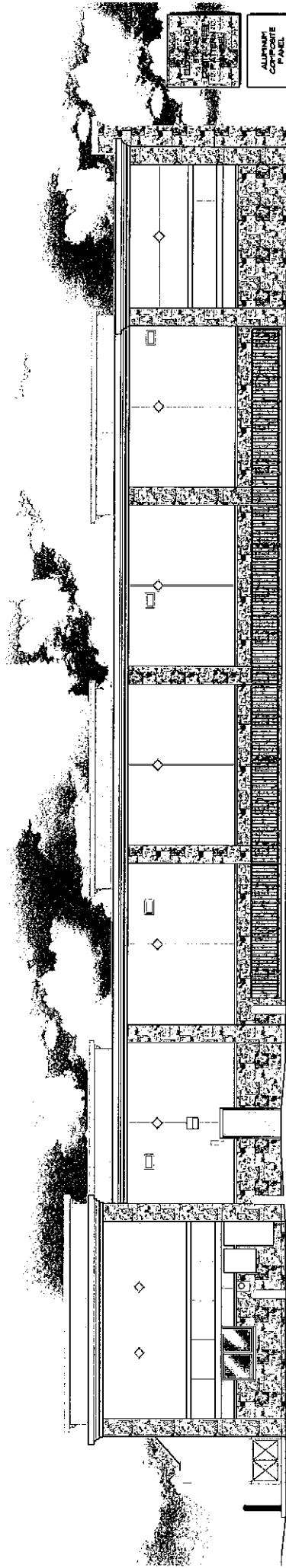
Project No.  
2130757

Date: 08-07-14  
Type: RHED-V5

Drawn By: RJB  
Scale: 1/8"=1'-0"

A-202  
Drawing No.





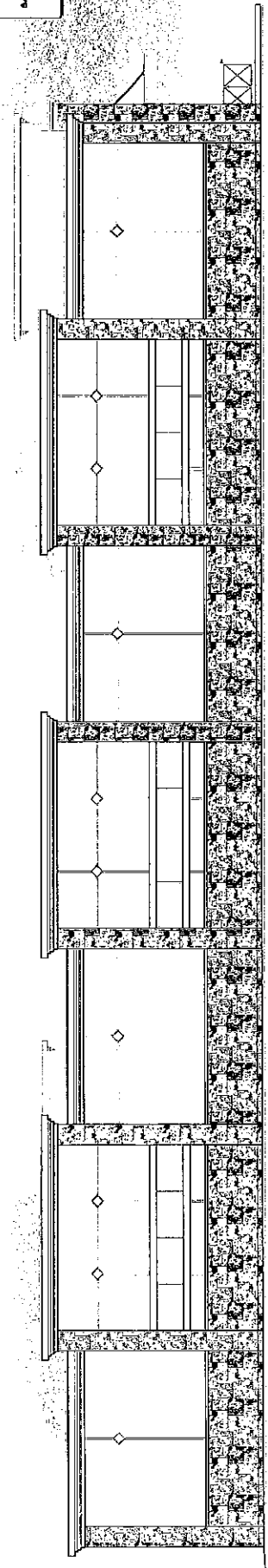
EAST ELEVATION

ALUMINUM  
COMPOSITE  
PANEL  
BRIGHT SILVER

ALUMINUM  
COMPOSITE  
PANEL  
BRIGHT SILVER

CEMENT  
# 103  
TAN/GR  
WHITE

CEMENT  
# 112  
SANDWOOD  
EDGE



NORTH ELEVATION



*Chua & Peterson*  
Architects Engineers Planners  
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# ALDI FOOD STORE #13

Congress Ave & Park Avenue - Lake Park, FL • C&P Project #2130757 • 10-13-14





Congress Ave & Park Avenue - Lake Park, FL • C&P Project #2130757 • 10-13-14



COMMUNITY DEVELOPMENT

JUL 22 2014

COMMUNITY DEVELOPMENT

July 18, 2014

**Department of Engineering  
and Public Works**

P.O. Box 21229  
West Palm Beach, FL 33416-1229  
(561) 684-4000  
FAX: (561) 684-4050  
www.pbcgov.com

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Board of County  
Commissioners**

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Paulette Burdick, Vice Mayor  
  
Hal R. Valeche  
Shelley Vana  
Steven L. Abrams  
Mary Lou Berger  
Jess R. Santamaria

**County Administrator**

Robert Weisman

Ms. Nadia Di Tommaso  
Director of Community Development  
Town of Lake Park  
535 Park Avenue  
Lake Park, FL 33403

**RE: Aldi Grocery Store  
Project #: 140611  
TRAFFIC PERFORMANCE STANDARDS REVIEW**

Dear Nadia:

The Palm Beach County Traffic Division has reviewed the traffic study for the proposed retail project entitled; **Aldi Grocery Store**; pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County Land Development Code. The project is summarized as follows:

**Location:** East side of Congress Avenue, north of Investment Lane (Park Avenue), south of Northlake Boulevard.  
**Municipality:** Lake Park  
**PCN #:** 36-43-42-19-00-000-5040.  
**Existing Uses:** Vacant  
**Proposed Uses:** 17,107 SF Supermarket  
**New Daily Trips:** 756  
**New Daily Trips:** 25 AM and 91 PM  
**Build-out:** End of Year 2018

Based on our review, the Traffic Division has determined the proposed supermarket is vested within a previously approved project (Parcel 34.03D – PBC#131222) with valid build-out, and therefore meets the TPS requirements of Palm Beach County. Note that all conditions tied to the previous approval which are not completed, remain applicable. No building permits are to be issued by the Town after the extended build-out date listed above. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

If you have any questions regarding this determination, please contact me at 684-4030 or e-mail me at [matefi@pbcgov.org](mailto:matefi@pbcgov.org).

Sincerely,

Masoud Atefi, MSCE  
TPS Administrator, Municipalities - Traffic Engineering Division

MA:bb  
ec: Mike A. Troxell PE., - Thomas Engineering Group

File: General - TPS - Mun - Traffic Study Review  
F:\TRAFFIC\maAdmin\Approvals\2014\140611.doc

"An Equal Opportunity  
Affirmative Action Employer"



# Seacoast Utility Authority

Mailing Address:  
P.O. Box 109602  
Palm Beach Gardens,  
FL 33410-9602

July 10, 2014

Mr. Jeff Williams  
Director of Real Estate  
2056 Vista Parkway, Ste 200  
West Palm Beach, FL 33411

Re: **Concurrency Reservation – Aldi Lake Park**

Dear Mr. Williams:

Seacoast Utility Authority has received Capacity Reservation Fees for concurrency for water and sewer for the referenced project.

The Capacity Reservation Fees have been paid through July 2015.

Sincerely,

SEACOAST UTILITY AUTHORITY



Jennifer Millette  
Engineering Clerk

cc: B. Ulmer  
J. Lance  
J. Callaghan

**Community**  
**JUL 10 2014**  
**Development**



## Town of Lake Park Town Commission

### Agenda Request Form

*Exhibit "B"*

Meeting Date: November 19, 2014

Agenda Item No. *4*

### Agenda Title: Amending the Town's Library Board Meeting Schedule

- [ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA  
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS  
**[X] PUBLIC HEARING ORDINANCE ON FIRST READING**  
[ ] NEW BUSINESS  
[ ] OTHER: \_\_\_\_\_

Approved by Town Manager

Date: *11/3/14*

Karen Mahnk, Library Director

Name/Title

<b>Originating Department:</b>  <b>Library</b>	Costs: \$ 0.00 Funding Source: Acct. # [ ] Finance _____	<b>Attachments:</b>  <b>Ordinance</b>
<b>Advertised:</b> Date: _____ Paper: _____ <b>[X] Not Required</b>	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <i>U.M.</i> <b>Please initial one.</b>

**Summary Explanation/Background:** The schedule for when the Town's Library Board meets is established within Town Code Section 2-158. The Code mandates that the Library Board shall hold at least one regular meeting per month.

The Library Board acts in an advisory capacity to the Town Commission and represents the citizens of the Town. In an effort to accommodate the schedules of Board members, the Board had previously changed meeting frequency from every other month to every month. However, the monthly schedule is no longer practical for current Board members. Staff has reviewed the Code and is recommending that the Commission modify the requirement for the Library Board to hold one meeting per calendar year as well as on an on-demand basis instead of forcing the Board to meet on a monthly basis.

**Recommended Motion:** I move to adopt Ordinance 15-2014.



## Town of Lake Park Town Commission

### Agenda Request Form

*Exhibit "C"*

Meeting Date: November 19, 2014

Agenda Item No. 5

**Agenda Title:** REQUEST TO UPDATE THE CAPITAL IMPROVEMENTS SCHEDULE IN THE TOWN'S COMPREHENSIVE PLAN CAPITAL IMPROVEMENTS ELEMENT.

- ☐ SPECIAL PRESENTATION/REPORTS ☐ CONSENT AGENDA  
☐ BOARD APPOINTMENT ☐ OLD BUSINESS  
☒ **PUBLIC HEARING ORDINANCE ON 2<sup>nd</sup> READING**  
☐ NEW BUSINESS  
☐ OTHER

Approved by Town Manager

Date:

11/12/14

**Nadia Di Tommaso / Community Development Director**  
Name/Title

<b>Originating Department:</b>  Community Development	Costs: \$ 168.56 Funding Source: Town Clerk Acct. #106-48100 <input checked="" type="checkbox"/> Finance <u>BKZ</u>	<b>Attachments:</b>  → Ordinance 14-2014 → Copy of previously approved schedule via Ordinance 17-2013 → Legal Ad
<b>Advertised:</b> Date: 11-09-14 Paper: Palm Beach Post <input type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone or Not applicable in this case <b>ND</b>  <b>Please initial one.</b>

### Summary Explanation/Background:

**FIRST READING 11/05/2014:** APPROVED 5-0 with three additional projects added to the Capital Improvements Schedule:

- (1) **Coastal Link/Tri-Rail Extension Improvements** (FY 2017/18 - \$500,000 Grants/Special Assessment)
- (2) **Bert Bostrom Park Improvements** (FY 2015/16 - \$100,000 – Grants)
- (3) **Residential Street Lighting** (FY 2015/16, 16/17, 17/18, 18/19 - \$250,000 each year – Grants/Special Assessment)



Beginning in 2005, local governments were required to update their five-year Capital Improvements Schedule (CIS) as an annual amendment to the Comprehensive Plan to demonstrate a financially feasible schedule. Per House Bill (HB) 7207, the “Community Planning Act”, adopted on June 2, 2011, the five-year schedule of capital improvements is no longer required to demonstrate that the CIS is financially feasible; however, local governments must still review and update their CIS by the adoption of an ordinance. This ordinance is no longer subject to the review of the Department of Economic Opportunity (formerly the Department of Community Affairs). Such modifications to update the five-year CIS are not deemed amendments to the local Comprehensive Plan and therefore, do not need to adhere to the comprehensive plan amendment process. Due to the fact that such an update is still accomplished by the adoption of an ordinance by the Town Commission, a public hearing is required.

In accordance with the legislation enacted by the Community Planning Act, all local governments must review and update the Five-Year Capital Improvement Schedule of their Comprehensive Plan Capital Improvements Element consistent with the requirements of Section 163.3177 and Section 163.3180, Florida Statutes. The Capital Improvements Element identifies capital projects needed to maintain, or promote, Level of Service (LOS) standards. The Schedule of Capital Improvements includes Town projects which may be funded by federal, state or local money sources.

A CIS allows for:

- A systematic evaluation of all potential projects at the same time.
- The ability to stabilize debt and consolidate projects.
- A public relations and economic development tool.
- Focus on preserving a governmental entity's infrastructure while ensuring the efficient use of public funds.
- An opportunity to foster cooperation among departments and an ability to inform other units of government of the entity's priorities. For examples, a State grant looks highly on applications for projects that are included in the CIS.

Staff is proposing the following update to the CIS:

**2014/15 UPDATE TO THE TOWN OF LAKE PARK  
COMPREHENSIVE PLAN CAPITAL IMPROVEMENTS ELEMENT AND  
FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE**

1. Amend Policy 1.11 as follows:

Policy 1.11        The following Capital Improvements Schedule, as it is annually updated in accordance with State growth management requirements, includes all projects scheduled to meet or improve the adopted Level of Service Standards during the five-year planning period, and other projects that further the implementation of this Comprehensive Plan and its goals, objectives and policies.

**TOWN OF LAKE PARK FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE<sup>1</sup>**  
**FY 2014/15 – 2018/19**

<b>Project Category</b>	<b>Project Name</b>	<b>14/15</b>	<b>15/16</b>	<b><u>16/17</u></b>	<b><u>17/18</u></b>	<b>18/19</b>	<b>Funding Source</b>
4	Shuttering and hardening of all Town buildings	\$0	\$125,000	\$100,000	\$0	\$0	Grant
4	Tennis courts and lighting and Park restrooms	\$416,000	\$0	\$0	\$0		Grant (\$403,590 –FY 14/15), General Fund (\$12,410-FY 14/15)
2, 4	Lake Shore Drive Drainage Improvements	\$0	\$800,000	\$800,000	\$800,000	\$800,000	Stormwater Utility Assessment (\$75,000 each FY), Grant
4	Lake Shore Drive Promenade	\$0	\$150,000				Grant
4	New marina parking lot	\$0	\$500,000	\$500,000	\$500,000	\$500,000	Grant
2, 4	10 <sup>th</sup> Street south of Park Avenue – drainage, lighting, paving, trees	\$0	\$500,000	\$500,000	\$500,000	\$500,000	Grant, Stormwater Utility Assessment (50/50 split each FY)
2,4	Park Avenue Improvements from 7 <sup>th</sup> Street to 10 <sup>th</sup> Street through and including the FED Railroad Intersection	\$0	\$300,000/ \$25,000 for FEC	\$300,000/ \$25,000 for FEC	\$300,000/ \$25,000 for FEC	\$300,000/ \$25,000 for FEC	Grant (\$250,000 each FY), CRA Funding (\$75,000 each FY)
4	Town Hall Renovations (Floor Mirror Ballroom, Exterior Painting, Ceiling Clerk's Office, Awnings Exterior Doors, Stage Refinishing, carpeting, Window/Door repairs)	\$18,250	\$75,000	\$75,000	\$75,000	\$75,000	Grant, General Fund (\$18,250 for FY 14/15 only) (50/50 split all other FY's)

<sup>1</sup> Note: The Town's ability to implement certain projects in accordance with this schedule is contingent upon the receipt of grant funds as identified in the "Funding Source" column.

2	Vehicle Replacement Plan	\$0	\$119,000	\$259,000	\$259,000	\$119,000	General Fund
2	Sanitary Sewers in Tri-City Industrial Park; Lake Park Public Works; and Water Tower Road/Old Dixie Highway commercial property	\$0	\$300,000	\$300,000	\$300,000	\$300,000	Special Assessment
2	Outfall to C-17 Canal	\$100,000	\$0	\$0	\$0	\$0	Stormwater Fund
2	Coastal Link/Tri-Rail Extension Improvements	\$0	\$0	\$0	\$500,000	\$0	Grant, Special Assessment (split 50/50)
2	Bert Bostrom Park Improvements	\$0	\$100,000	\$0	\$0	\$0	Grant
2	Residential Street Lighting	\$0	\$250,000	\$250,000	\$250,000	\$250,000	Grant, Special Assessment (split 50/50)
	Total	\$534,250	\$3,244,000	\$3,109,000	\$3,509,000	\$2,869,000	

#### Project Category Codes

- 1 – Project necessary to achieve Level of Service
- 2 – Project will enhance ability to continue to meet Level of Service
- 3 – Project will enhance ability to meet Level of Service for Optional Element
- 4 – Project will further the achievement of Comprehensive Plan goals, objectives and policies.

#### **TOWN OF LAKE PARK ESTIMATED FUNDING SOURCES FOR CAPITAL IMPROVEMENTS FY 2014/15-2018/19**

Funding Source	14/15	15/16	16/17	17/18	18/19
General Fund	\$30,660	\$156,500	\$296,500	\$296,500	\$156,500
Stormwater Utility Assessment	\$0	\$325,000	\$325,000	\$325,000	\$325,000
Grants	\$403,590	\$2,262,500	\$1,987,500	\$2,137,500	\$1,887,500



Special Assessment	\$0	\$425,000	\$425,000	\$675,000	\$425,000
CRA Funding	\$0	\$75,000	\$75,000	\$75,000	\$75,000
Stormwater Fund	\$100,000	\$0	\$0	\$0	\$0
Total	\$534,250	\$3,244,000	\$3,109,000	\$3,509,000	\$2,869,000

**Recommended Motion:** I move to ADOPT Ordinance No. 14-2014 on second reading.



## Town of Lake Park Town Commission

### Agenda Request Form

*Exhibit "D"*

Meeting Date: 11/19/2014

Agenda Item No. 6

Agenda Title: FISCAL YEAR 2013/2014 PRE-AUDIT BUDGET  
ADJUSTMENTS

- ☐ SPECIAL PRESENTATION/REPORTS ☐ CONSENT AGENDA  
☐ BOARD APPOINTMENT ☐ OLD BUSINESS  
☐ PUBLIC HEARING ORDINANCE ON \_\_\_\_ READING  
☒ NEW BUSINESS  
☐ OTHER: \_\_\_\_\_

Approved by Town Manager \_\_\_\_\_

Date: 11/3/14

Blake K. Rane *BKR* Finance Director  
Name/Title

<b>Originating Department:</b> <b>FINANCE</b>	Costs: See attachment "A" Funding Source: Acct. # [ X ] Finance ____ BKR ____	<b>Attachments:</b> Resolution, Pre-audit Budget Narrative, and Attachment A
<b>Advertised:</b> Date: _____ Paper: _____ [ X ] Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _BKR_ <b>Please initial one.</b>

### Summary Explanation/Background:

At the end of each fiscal year, the Town Finance Director analyzes the balances of the General Fund (GF) revenue accounts and each of the GF department's accounts, prior to the audit, to determine where adjustments need to be made. This review has been conducted and attached is a schedule (Attachment "A") that lists the items that need to be adjusted for the Town of Lake Park 2013/14 budget. Against a GF budget of \$8.35 million, this final adjustment is for \$97,890, a difference of just 1.17%.

### Recommended Motion:

I move to adopt Resolution 42-11-14.

Town of Lake Park, Florida  
Preliminary Annual Financial Report  
For the Fiscal Year Ending September 30, 2014

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## Overview

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This Preliminary Annual Financial Report reflects the Town's overall unaudited financial condition for the fiscal year which ended on September 30, 2014. This report is to inform the Commission and other readers of the financial position of the Town prior to the year-end closing accruals and any audit adjustments which need to be undertaken prior to the final work of the Town's external auditor.

We want to thank the Commission for their input into the budgeting process and the work they did in approving the budget for the 2014/15 Fiscal Year. Our continued hope is that as you read through this report, you bring any specific financial questions to our attention and we will spend the time to answer each one.

There are seven funds that we are reporting on herein; they are listed below; and, they translate to the seven narratives and summary tables which report on each of the funds. **Within each fund report we have noted the percentage that should be expected for the various revenues and expenses for that fund. For this report, since it is the end of the year, the important number is the easiest of all. At this point in the fiscal year, the ending number should be as close to 100.00% as possible.** The attached reports are the:

- General Fund
- Streets & Roads Fund
- Debt Service Fund
- Marina Fund
- Stormwater Fund
- Sanitation Fund
- CRA Fund

## General Fund

With the year completed (100.00%), the General Fund (GF) has collected \$7.96 million or 95.4% of the budgeted annual revenue. Adjusting for the "Balance Brought Forward" line item of \$182,314, that was budgeted but was not used, the percentage moves to 97.5%; an additional post-closing adjustment for revenues received after September 30, 2014 (but revenues that should be recorded within the fiscal year) should bring total revenue up such that it slightly exceeds the annual budget estimate.

### Revenues

Ad valorem taxes are the largest single source of General Fund revenue, and make up 43.1% of total revenues, followed by other taxes at 28.7%. The reader will note that in this preliminary report the categories of Other Taxes and Franchise Fees are currently below the budgeted level. In those two categories the payments lag by one or two months and will be adjusted in post-closing entries that are currently being prepared by the Finance Department.

Other sources are as noted in the table below. Recreation and rental revenues are under budget for the year; but when all the accounting is completed the other categories should cover the shortfalls. We also work hard to keep our expenses less than the anticipated revenues; thereby making sure that the General Fund finished the fiscal year in balance.

### Expenses

The following table details by department the General Fund expenditures for the month and quarter and the associated explanations are on page 3.

General Fund (001)	Budget	YTD Actual	Current Month	YTD Percent
Revenue	\$ 8,349,493	\$ 7,964,640	\$ 237,239	95.4%
Expenditures	\$ 8,349,493	\$ 8,078,033	\$ 794,240	96.7%

Revenue	Budget	YTD Actual	Current Month	YTD Percent
Ad Valorem	\$ 3,819,488	\$ 3,802,758	\$ (210)	99.6%
Other Taxes	2,334,223	2,238,090	45,710	95.9%
Recreation Fees	70,276	47,754	1,776	68.0%
Rental	70,873	54,384	2,511	76.7%
Parking Meters	35,350	38,461	2,538	108.8%
Franchise Fees	552,500	475,572	-	86.1%
Administrative Fees	880,266	870,686	70,059	98.9%
Other	586,517	436,935	114,855	74.5%
Total	\$ 8,349,493	\$ 7,964,640	\$ 237,239	95.4%

## General Fund (Continued)

### Expenses

The table below details, by department the expenditures for the General Fund for the month of September and for the completed year. In total the Town's General Fund has expended 96.7% of its budget. This demonstrates that, taken as a whole, the General Fund departments have maintained a balance budget. With the exception of debt service and insurance premiums, General Fund operating expenses are generally incurred in roughly equal amounts over the year.

Debt payments for this fund are made in the months of March and September.

As you will see in the table below, for the year just completed, several of the General Fund departments have slightly exceeded 100.0% of their annual budget allocation as approved by the Town Commission. The causes of the expense for these departments are described below and various budget adjustments are being processed for these departments.

Human Resources – the employment advertisement expense was higher than anticipated.

Information Technology – yearend computer upgrades were funded by savings realized in other departments.

Law Enforcement – gas purchased at the Town pumps by PBCS were higher than budgeted, but completely offset by higher than anticipated revenue from the county.

Community Development – higher than anticipated number of developers (what we call “cost recovery”) requiring outside services through the department, offset by revenue from the developers.

Expenditures	Budget	YTD Actual	Current Month	YTD Percent
Commission	\$ 103,686	\$ 84,007	\$ 6,032	81.0%
Town Manager	200,349	194,817	14,206	97.2%
Human Resources	132,659	132,980	10,157	100.2%
Town Clerk	157,028	147,149	15,553	93.7%
Legal	115,000	104,063	22,705	90.5%
Information Technology	163,239	163,902	21,221	100.4%
Finance	418,271	403,030	25,727	96.4%
Law Enforcement	2,667,115	2,670,303	228,767	100.1%
Disaster	1,000	-	-	0.0%
Fire Services	1,550,505	1,550,508	129,209	100.0%
Public Works	905,686	854,856	68,788	94.4%
Parking Facilities	75,629	72,211	35,805	95.5%
Community Development	516,080	520,694	47,711	100.9%
Recreation	189,925	178,812	13,110	94.1%
Library	251,818	228,774	19,529	90.8%
Debt Coverage	382,467	379,762	131,375	99.3%
Non-Departmental	519,036	392,165	4,345	75.6%
<b>Total</b>	<b>\$ 8,349,493</b>	<b>\$ 8,078,033</b>	<b>\$ 794,240</b>	<b>96.7%</b>

## Streets & Roads Fund

The Streets and Roads Fund, a Special Revenue Fund, exists to segregate monies received that are required to be expended exclusively on road maintenance and improvements.

### Revenues

Revenues are 91.9% of budget as noted in the table. These taxes typically come to the Town in arrears between 30 and 60 days.

### Expenses

Operating expenses are comprised mainly of utilities and sidewalk improvements and are within normal ranges.

Overall, the fund finished the year with revenues exceeding expenditures and the fund remained in balance at the close of the year. Debt payments for this fund are made in the months of March and September.

Streets & Roads (190)	Budget	YTD Actual	Current Month	YTD Percent
Revenue	\$ 348,404	\$ 320,305	\$ 25,456	91.9%
Expenditures	\$ 348,404	\$ 303,893	\$ 22,331	87.2%

Revenue	Budget	YTD Actual	Current Month	YTD Percent
Gas Taxes	\$ 230,500	\$ 217,475	\$ 24,043	94.3%
Revenue Sharing	84,500	84,188	1,412	99.6%
Other	33,404	18,642	1	55.8%
Total	\$ 348,404	\$ 320,305	\$ 25,456	91.9%

Expenditures	Budget	YTD Actual	Current Month	YTD Percent
Personal Services	\$ 90,170	\$ 84,612	\$ 5,416	93.8%
Operating Expenses	241,392	219,281	16,915	90.8%
Debt Coverage	16,842	-	-	0.0%
Total	\$ 348,404	\$ 303,893	\$ 22,331	87.2%

## Debt Service Fund

The Debt Service Fund serves the General Obligation Bonds series 1997 and 1998. The millage was set at 1.7400 for the fiscal year 2013/14.

### Revenues

Historically a significant amount of the revenue for this fund is received in the month of December.

### Expenses

Debt payments for this fund are made in the months of December and June.

The budgeted Professional Services expense is for any required analysis and reporting of potential arbitrage earnings.

Debt Service Fund (201)	Budget	YTD Actual	Current Month	YTD Percent
Revenue	\$ 775,600	\$ 752,368	\$ -	97.0%
Expenditures	\$ 775,600	\$ 768,107	\$ -	99.0%

Revenue	Budget	YTD Actual	Current Month	YTD Percent
Ad Valorem Taxes	\$ 775,600	\$ 751,600	\$ -	96.9%
Interest	-	768	-	N/A
Total	\$ 775,600	\$ 752,368	\$ -	97.0%

Expenditures	Budget	YTD Actual	Current Month	YTD Percent
Professional Services	\$ 7,485	\$ -	\$ -	0.0%
Debt Coverage	768,115	768,107	-	100.0%
Total	\$ 775,600	\$ 768,107	\$ -	99.0%

## Marina Fund

This fund segregates the Marina activities from all other Town operations. The Marina Fund is what is designated as an Enterprise Fund, meaning that the accounting is similar to the accounting for a commercial business.

### Revenues

While balancing the budget for the Marina Fund remains a significant challenge, year-over-year revenue increased in total by \$264,955. Of that amount, Wet Slip revenue was up year-over-year by \$124,384. Additionally, a rate adjustment was made for selected slips in August, which has increased the occupancy rate.

### Expenses

Unfortunately, expenses remain higher than revenue.

When a fund's expenses exceed its revenue it triggers two effects: (1) it uses cash that the fund has accumulated or if it does not have sufficient cash reserves the fund must borrow cash from another fund, and (2) it reduces the unrestricted fund balance that the fund has accumulated.

Debt payments for this fund are made in the months of March & September and April & October.

Marina (401)	Budget	YTD Actual	Current Month	YTD Percent
Revenue	\$ 1,612,416	\$ 1,123,328	\$ 89,155	69.7%
Expenditures	\$ 1,612,416	\$ 1,370,017	\$ 103,592	85.0%

Revenue	Budget	YTD Actual	Current Month	YTD Percent
Rental & related	\$ 709,963	\$ 642,059	\$ 54,588	90.4%
Parking Fees	80,000	40,075	2,582	50.1%
Fuel Sales	347,526	441,194	31,985	127.0%
Balance Brought Forward	474,927	-	-	0.0%
Total	\$ 1,612,416	\$ 1,123,328	\$ 89,155	69.7%

Expenditures	Budget	YTD Actual	Current Month	YTD Percent
Personal Services	\$ 171,590	\$ 172,192	\$ 10,257	100.4%
Operating Expenses	317,709	418,307	43,965	131.7%
Construction Deficiency	475,427	46,269	10,182	9.7%
Fuel	267,600	354,238	24,363	132.4%
Debt Coverage	380,090	379,011	14,825	99.7%
Total	\$ 1,612,416	\$ 1,370,017	\$ 103,592	85.0%



## Stormwater Fund

The Stormwater Fund, also an Enterprise Fund, exists to enable the Town to maintain and improve drainage systems throughout the Town.

### Revenues

Revenues are assessed and collected by the County, and remitted to the Town at the same time the Town receives the ad valorem tax revenues.

### Expenses

As discussed and approved at the June 4, 2014 Commission meeting, the Town utilized fund balance to complete the following projects. The Town approved a contract for televising some of the storm sewers (\$41,549) and a final payment on the Lake Shore Drive Drainage project (\$16,747) using fund balance.

When a fund's expenses exceed its revenue it triggers two effects: (1) it uses cash that the fund has accumulated or if it does not have sufficient cash reserves the fund must borrow cash from another fund, and (2) it reduces the unrestricted fund balance that the fund has accumulated.

Debt payments for this fund are made in the months of March and September.

Stormwater (402)	Budget	YTD Actual	Current Month	YTD Percent
Revenue	\$ 557,964	\$ 486,477	\$ (36)	87.2%
Expenditures	\$ 557,964	\$ 531,219	\$ 112,668	95.2%

Revenue	Budget	YTD Actual	Current Month	YTD Percent
Assessments	\$ 503,000	\$ 485,876	\$ (36)	96.6%
Interest	440	601	-	136.6%
Balance Brought Forward	54,524	-	-	0.0%
Total	\$ 557,964	\$ 486,477	\$ (36)	87.2%

Expenditures	Budget	YTD Actual	Current Month	YTD Percent
Personal Services	\$ 151,227	\$ 159,483	\$ 10,571	105.5%
Operating Expenses	288,720	232,643	37,124	80.6%
Capital	16,750	20,622	-	123.1%
Debt Coverage	101,267	118,471	64,973	117.0%
Total	\$ 557,964	\$ 531,219	\$ 112,668	95.2%

## Sanitation Fund

The Sanitation Fund, the Town's third Enterprise Fund, operates and maintains its own sanitation collection department.

### Revenues

Residential revenue is collected via an assessment on the ad valorem tax bill and commercial revenue is invoiced by the Finance Department each month.

### Expenses

In the Sanitation Fund the Operating Expenses category exceeded the budget. The primary contributors are: disposal fees paid to the Solid Waste Authority, repair and maintenance expenses, and vehicle parts and supplies. The rate adjustment passed for fiscal year 2014/15 toward acquiring new vehicles should allow a reduction in some of the costly repairs to the fleet. Sanitation expenses are summarized below.

When a fund's expenses exceed its revenue it triggers two effects: (1) it uses cash that the fund has accumulated or if it does not have sufficient cash reserves the fund must borrow cash from another fund, and (2) it reduces the unrestricted fund balance that the fund has accumulated.

Debt payments for this fund are made in the months of March and September.

Sanitation (404)	Budget	YTD Actual	Current Month	YTD Percent
Revenue	\$ 1,450,243	\$ 1,379,936	\$ 67,307	95.2%
Expenditures	\$ 1,450,243	\$ 1,453,359	\$ 143,748	100.2%

Revenue	Budget	YTD Actual	Current Month	YTD Percent
Commercial	\$ 837,000	\$ 757,818	\$ 64,946	90.5%
Residential	572,200	584,119	475	102.1%
Other	41,043	37,999	1,886	92.6%
Total	\$ 1,450,243	\$ 1,379,936	\$ 67,307	95.2%

Expenditures	Budget	YTD Actual	Current Month	YTD Percent
Personal Services	\$ 566,430	\$ 484,723	\$ 122,202	85.6%
Operating Expenses	771,673	856,497	19,527	111.0%
Debt Coverage	112,140	112,139	2,019	100.0%
Total	\$ 1,450,243	\$ 1,453,359	\$ 143,748	100.2%

## CRA

The CRA receives an amount equal to the Tax Increment from the Town and from the County. Those payments are made, usually in December, as the Town receives the ad valorem taxes.

### Revenues

The CRA is primarily funded by Tax Increment Funding (TIF) from the Town and from Palm Beach County. As set up in the CRA Plan both are obliged to fund the CRA by the end of December and both have done so. The tax revenues from PBC and the transfer of funds from the GF to the CRA are in an amount equal to the TIF calculation and complete that aspect of funding for the fiscal year. As you will see below, both lines are now very close to 100%. The Other revenues consist of interest collected from various business development loans outstanding and cash deposits.

### Expenses

CRA expenses primarily consist of Contractual Services and Debt Coverage as noted in the table. The Personal Services line exceeded budget as a result of unexpected unemployment expense, but the CRA as a whole recovered by under-spending in other areas.

Debt transfers for this fund are made monthly and in the months of March and September.

CRA (110)	Budget	YTD Actual	Current Month	YTD Percent
Revenue	\$ 450,084	\$ 444,699	\$ -	98.8%
Expenditures	\$ 450,084	\$ 442,884	\$ 42,782	98.4%

Revenue	Budget	YTD Actual	Current Month	YTD Percent
Ad Valorem	\$ 156,133	\$ 154,465	\$ -	98.9%
Transfer from the GF	291,251	287,535	-	98.7%
Other	2,700	2,699	-	100.0%
Total	\$ 450,084	\$ 444,699	\$ -	98.8%

Expenditures	Budget	YTD Actual	Current Month	YTD Percent
Personal Services	\$ 22,225	\$ 25,495	\$ 2,638	114.7%
Contractual Services	78,855	76,127	12,660	96.5%
Other Operating Expenses	88,163	80,421	5,747	91.2%
Debt Coverage	260,841	260,841	21,737	100.0%
Total	\$ 450,084	\$ 442,884	\$ 42,782	98.4%



**Town of Lake Park Town Commission**  
**Agenda Request Form**

*Exhibit "E"*

**Meeting Date: November 19, 2014**

**Agenda Item No. 7**

**Agenda Title: Authorizing the Town Manager to Issue a Purchase Order for Paul Fleming to Serve as Interim Marina Director During the Months of December 2014 and January 2015.**

- [ ] SPECIAL PRESENTATION/REPORTS [ ] CONSENT AGENDA  
[ ] BOARD APPOINTMENT [ ] OLD BUSINESS  
[ ] PUBLIC HEARING ORDINANCE ON \_\_\_\_ READING  
[X] **NEW BUSINESS**  
[ ] OTHER: \_\_\_\_\_

**Approved by Town Manager** \_\_\_\_\_

*DSS*

**Date:** 10/24/14

*Dale S. Sugerman*, Ph.D./Town Manager  
**Name/Title**

<b>Originating Department:</b>  <b>Town Manager</b>	Costs: \$8,750.00 Funding Source: Marina Acct. 800-31000 <input checked="" type="checkbox"/> Finance <i>DSS</i>	<b>Attachments:</b> First Purchase Order for Months of September and October
<b>Advertised:</b> Date: _____ Paper: _____ [X] Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <u>DSS</u> <b>Please initial one.</b>

**Summary Explanation/Background:**

With the short notice resignation of Jamie Hart as Marina Director (he provided a two week notice) it was important to hire an Interim Marina Director while the search for a permanent replacement got underway. Paul Fleming was hired just prior to Mr. Hart's departure via a purchase order authorized by the Town Manager (copy attached). Mr. Fleming's rate is \$35.00 per hour and he is working approximately 25 hours per week. The Town Manager's spending authority of \$10,000.00 limited the number of hours that Mr. Fleming could be engaged to a total of 285 hours, which will carry his interim services through the end of November. His continued services are needed for an additional 60 days.

This agenda item is for the Town Commission to authorize an additional 250 hours of interim services which will carry us through the month of January 2015. It is anticipated that the new full-time permanent Marina Director will be on board by that date. Mr. Fleming is not a candidate for the full-time permanent position. Funds to support this purchase order are coming from the regular salary line item of the Marina budget since a salary is no longer being paid to Mr. Hart.

**Recommended Motion:** I move to authorize the Town Manager to sign a purchase order authorizing the purchase of Interim Marina Director services with Mr. Paul Fleming for 250 hours at a rate of \$35.00 per hour.



LAKE PARK TOWN HALL

NATIONAL HISTORIC SITE

# THE TOWN OF LAKE PARK

535 PARK AVENUE

LAKE PARK, FLORIDA 33403

(561) 881-3350 FAX (561) 881-3358

TO: 48337  
PAUL FLEMING  
629 KINGFISH ROAD  
NORTH PALM BEACH, FL 33408

## PURCHASE ORDER

PURCHASE ORDER  
NUMBER

55442

DATE

08/27/14

PAGE NO. 1

DEPT. CODE

REQUISITION  
NUMBER

OUR PURCHASE ORDER NUMBER MUST  
APPEAR ON ALL INVOICES, PACKING  
LIST, AND CORRESPONDENCE.

### SEND INVOICE TO

TOWN OF LAKE PARK  
DIRECTOR OF FINANCE  
535 PARK AVENUE  
LAKE PARK, FL 33403

### DELIVER ITEMS TO

ADMINISTRATION  
535 PARK AVENUE  
LAKE PARK FL 33403

### DELIVERY DATE

08/27/14

### TERMS

NET

### SPECIAL INSTRUCTIONS

INTERIM MARINA DIRECTOR SERVICES

THIS IS...  
☐ AN ORDER

A CONFIRMATION ☐

UNIT DESCRIPTION	ACCOUNT NUMBER	QUANTITY	UNIT PRICE	AMOUNT
INTERIM MARINA DIRECTOR SRVS	800-31000	285.00	35.00	9,975.00
			<b>TOTAL</b>	<b>9,975.00</b>

FLORIDA STATE SALES TAX EXEMPTION CERTIFICATE NO.  
60-13-116484-54C

FEDERAL TAX EXEMPTION CERTIFICATE NO.  
59-6000355

APPROVED DIRECTOR of FINANCE

PURCHASE ORDER NUMBER MUST APPEAR ON ALL  
INVOICES, PACKAGES, AND SHIPPING DOCUMENTS.  
DELIVERIES WILL BE ACCEPTED  
MONDAY THRU FRIDAY 8:30 AM - 4:00 PM

DUPLICATE





## Town of Lake Park Town Commission

### Agenda Request Form

*Exhibit "F"*

Meeting Date: November 19, 2014

Agenda Item No. 8

**Agenda Title: Commission Discussion on the Subject of Endorsing a Resolution of Support for the Palm Beach County League of Cities' Desire to Have Palm Beach County Remain in the Treasure Coast Regional Planning Commission.**

- ☐ SPECIAL PRESENTATION/REPORTS ☐ CONSENT AGENDA  
☐ BOARD APPOINTMENT ☐ OLD BUSINESS  
☐ PUBLIC HEARING ORDINANCE ON \_\_\_\_ READING  
☒ **NEW BUSINESS**  
☐ OTHER: \_\_\_\_\_

Approved by Town Manager \_\_\_\_\_

*DSS*

Date: 10/27/14

Dale S. Sugerman, Ph.D./Town Manager

Name/Title

<b>Originating Department:</b>  <b>Town Manager</b>	Costs: None Funding Source: Acct. <input type="checkbox"/> Finance _____	<b>Attachments:</b>  1) E-mail Message from Richard Radcliffe 2) Model Resolution of Support
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case <u>DSS</u>  <b>Please initial one.</b>

### **Summary Explanation/Background:**

The Board of Directors of the Palm Beach County League of Cities has adopted a resolution strongly objecting to recent actions taken by the Palm Beach County Board of County Commissioners from withdrawing Palm Beach County from the Treasure Coast Regional Planning Council and requesting membership in the South Florida Regional Planning Council instead. The Board of the League has asked each municipality to adopt a similar resolution. Direction from the Town Commission is respectfully requested on this issue. If it is the Commission's desire to adopt a similar resolution, such resolution will be

crafted for the meeting of December 3<sup>rd</sup>. If there is no desire to adopt a similar resolution, then no further action would be necessary.

**Recommended Motion:** This item has been presented as a discussion item only. If it is the Commission's desire to have a resolution objecting to the Board of County Commissioner's decision, then a motion, second, discussion, and a vote would be in order.



## Dale Sugerman

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**From:** Richard Radcliffe C. [RRadcliffe@pbcgov.org]  
**Sent:** Friday, October 24, 2014 12:55 PM  
**To:** Jeriise Hansen  
**Subject:** IMPORTANT Resolution Request  
**Attachments:** Res 2014-02-Treasure Coast Regional Planning-Board Support.pdf

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Managers,

On October 7th, on a four to three vote, the Palm Beach County Board of County Commissioners (BOCC) directed staff to research the steps necessary to move Palm Beach County (County) to the South Florida Regional Planning Council (SFRPC) and to delete the County's membership in the Treasure Coast Regional Planning Council (TCRPC). By way of background information, the BOCC voted to have the County made a part of the TCRPC in 1976, over thirty-five years ago. This was a move away from the SFRPC at that time. Now, apparently the BOCC is considering a move to go back to SFRPC.

On October 22, after much discussion, the Palm Beach County League of Cities Board of Directors (the League Board) approved the attached resolution requesting the BOCC to make sure the County remains with the TCRPC. The resolution attached sets forth the reasons for the action taken by the League Board.

We are asking that every municipality pass a resolution similar to the one attached in support of the League Board's position. We are also asking that you reach out to your County Commissioner personally, especially if they were on the prevailing side (Vana, Taylor, Abrams, or Berger) and ask them to reconsider and reverse their decision.

Please thank the Commissioners that supported our position (Burdick, Valeche, and Santamaria) and ask them to remain vigilant since this is such an important issue to the municipalities and all of Palm Beach County.

Mike Busha, the League Board staff, and I will make ourselves available to assist with meetings and information. You may want have your planning staff meet with you and your Commissioner so they understand the ramifications of their actions and the commitment of every municipality. Please send the League copies of adopted resolutions and your correspondence.

Thank you for your support.

Richard

Richard C. Radcliffe  
Executive Director  
[rradcliffe@pbcgov.org](mailto:rradcliffe@pbcgov.org)  
The Palm Beach County League of Cities, Inc.  
P.O. Box 1989, Governmental Center  
West Palm Beach, Florida 33402  
Tel. 561-355-4484; Fax 355-6545  
[www.leagueofcities.org](http://www.leagueofcities.org)

## **RESOLUTION NO. 2014-02**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PALM BEACH COUNTY LEAGUE OF CITIES, INC. STRONGLY OBJECTING TO RECENT ACTION TAKEN BY THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS TO WITHDRAW PALM BEACH COUNTY FROM THE TREASURE COAST REGIONAL PLANNING COUNCIL AND TO REQUEST MEMBERSHIP IN THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL INSTEAD; AND STRONGLY SUPPORTING THE COUNTY'S CONTIUNED MEMBERSHIP IN THE TREASURE COAST REGIONAL PLANNING COUNCIL; PROVIDING FOR DISTRIBUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, the Palm Beach County Board of County Commissioners ("BOCC") recently took action by means of a 4-3 vote on October 7, 2014 authorizing its staff to research all necessary steps to withdraw Palm Beach County (the "County") from the Treasure Coast Regional Planning Council ("TCRPC") and to request membership in the South Florida Regional Planning Council ("SFRPC") in spite of opposition expressed at the meeting by municipal representatives and others; and

**WHEREAS**, the County has been a member of the TCRPC for more than thirty-five (35) years, since 1976; and

**WHEREAS**, during that lengthy tenure, the staff at the TCRPC has become acutely aware of the issues and concerns of the County as well as of the thirty-eight (38) Municipalities located therein as they relate to the growth management, transportation demands, water concerns and general land use planning; and

**WHEREAS**, there is little, if any, evidence that the SFRPC has the same depth of understanding of the issues that the County and its municipalities are facing; and

**WHEREAS**, the strategic policies found in the TCRPC Regional Policy Plan differ greatly from those found in the SFRPC Regional Policy Plan; and

**WHEREAS**, the County and the municipalities have incorporated many of the TCRPC policies into their comprehensive plans which guide their growth patterns; and which would require revision if the change to the SFRPC is achieved; and

**WHEREAS,** many municipalities located in Palm Beach County are involved in long term planning activities with the TCRPC which would be rendered meaningless if this change were to occur; and

**WHEREAS,** the minimal reasons supporting change found in the back-up documentation for the agenda item and the discussions at the October 7, 2014 meeting centered around saving money in the form of reduced membership fees to be paid to the SFRPC as opposed to the TCRPC; and the diverse interests of the counties comprising the TCRPC; and

**WHEREAS,** since County ad valorem tax dollars are used to pay for the membership in the TCRPC and are derived from all those persons and entities owning property in the County, each property owner is paying for this membership and deserves a voice in this abrupt move taken by the County with very little, if any, sound reasoning as to why such a move would benefit all local governments located in the County; and

**WHEREAS,** long term relationships forged through more than thirty-five (35) years of working with the TCRPC and the in-depth understanding the TCRPC staff has of the County's and the thirty-eight (38) municipalities' land use issues should not be discarded without substantial and powerful reasons, which have not been clearly articulated by the members of the BOCC, to date.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PALM BEACH COUNTY LEAGUE OF CITIES, INC., THAT:**


**SECTION 1:** the Board of Directors of the Palm Beach County League of Cities, Inc. strongly objects to recent action taken by the Palm Beach County Board of County Commissioners to withdraw Palm Beach County from the Treasure Coast Regional Planning Council and to request membership in the South Florida Regional Planning Council; and strongly supports the County's continued membership in the TCRPC; providing for distribution; providing an effective date; and for other purposes.

**SECTION 2:** The Board hereby requests that this resolution be sent directly to the Palm Beach County Board of County Commissioners, the Treasure Coast Regional Planning Council and all municipalities in Palm Beach County.

**SECTION 3:** This Resolution shall take effect immediately upon execution by the League President as authorized by the Board of Directors of the Palm Beach County League of Cities, Inc. at their October 22, 2014 meeting.


PASSED AND ADOPTED this 22<sup>nd</sup> day of October, 2014.

BOARD OF DIRECTORS OF  
THE PALM BEACH COUNTY LEAGUE OF  
CITIES, INC.

  
Steve B. Wilson, President

(SEAL)

ATTEST:

  
Mo Thornton, Secretary/Treasurer



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, November 19, 2014, 6:30 p.m.  
Lake Park Town Hall  
535 Park Avenue

<b>James DuBois</b>	—	<b>Mayor</b>
<b>Kimberly Glas-Castro</b>	—	<b>Vice-Mayor</b>
<b>Erin T. Flaherty</b>	—	<b>Commissioner</b>
<b>Michael O'Rourke</b>	—	<b>Commissioner</b>
<b>Kathleen Rapoza</b>	—	<b>Commissioner</b>
<hr/>		
<b>Dale S. Sugerman, Ph.D.</b>	—	<b>Town Manager</b>
<b>Thomas J. Baird, Esq.</b>	—	<b>Town Attorney</b>
<b>Vivian Mendez, CMC</b>	—	<b>Town Clerk</b>

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.*

A. **CALL TO ORDER/ROLL CALL**

B. **PLEDGE OF ALLEGIANCE**

C. **SPECIAL PRESENTATIONS/REPORTS**

None

D. **PUBLIC COMMENT:**

This time is provided for addressing items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

E. **CONSENT AGENDA:** All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked

to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

1. Regular Commission Meeting Minutes of November 5, 2014 Tab 1
2. Legislative Priorities Workshop Minutes of November 5, 2014 Tab 2
- F. **PUBLIC HEARING(S) – QUASI JUDICIAL:** (Continued from October 1, 2014 Meeting)
  3. Resolution No. 33-10-14 an Application by Aldi Florida LLC, for Special Exception Use and Site Plan Approval for a 17,107 Square Foot General Grocery Store Tab 3
- G. **PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:**
  4. Ordinance No. 15-2014 Amending the Town's Library Board Meeting Schedule Tab 4  
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 2, ARTICLE IV, DIVISION 2 OF THE TOWN CODE ENTITLED "LIBRARY BOARD"; PROVIDING FOR THE AMENDMENT OF SECTION 2-158, PERTAINING TO THE LIBRARY BOARD'S MONTHLY MEETING SCHEDULE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.
- H. **PUBLIC HEARING(S) – ORDINANCE ON SECOND READING:**
  5. Ordinance No. 14-2014 Updating the Comprehensive Plan and Capital Improvement Schedule Tab 5  
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, UPDATING THE CAPITAL IMPROVEMENTS ELEMENT OF ITS COMPREHENSIVE PLAN; PROVIDING FOR AN UPDATED FIVE YEAR CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR THE UPDATE TO THE TEXT OF THE CAPITAL IMPROVEMENTS SCHEDULE SO AS TO BE CONSISTENT WITH THE NEW SCHEDULE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- I. **NEW BUSINESS:**
  6. Resolution No. 42-11-14 Fiscal Year 2013/2014 Pre-Audit Budget Adjustments Tab 6
  7. Authorizing the Town Manager to Issue a Purchase Order for Paul Fleming Tab 7  
to Serve as Interim Marina Director during the Months of December 2014 and January 2015.
  8. Commission Discussion on the Subject of Endorsing a Resolution of Support Tab 8  
for the Palm Beach County League of Cities' Desire to Have Palm Beach County Remain in the Treasure Coast Regional Planning Commission.
- J. **TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:**
- K. **ADJOURNMENT**  
**Next Scheduled Regular Commission Meeting will be held on Wednesday, December 3, 2014**